

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



Sixty-ninth meeting of the Standing Committee  
Geneva (Switzerland), 27 November -1 December 2017

WILD LIFE, WILD LIVELIHOODS

This information document has been submitted by Canada and Namibia at the request of and on behalf of the United Nations Environment Programme in relation to agenda item 14 on *Engagement of rural communities in the CITES processes*.\*

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# WILD LIFE, WILD LIVELIHOODS

## *Involving communities in sustainable wildlife management and combating illegal wildlife trade*

September 2017

*“The fundamental cause of biodiversity loss worldwide is that those in a position to preserve it lack sufficient incentives to do so” (Kiss, 2004)*

### ABSTRACT

UN Environment Assembly Resolution 2/14 on *Illegal trade in wildlife and wildlife products* calls for an analysis of international best practice with regard to involving local communities in wildlife management. In response to this resolution, UN Environment has commissioned the International Union for the Conservation of Nature and the International Institute for Environment and Development to prepare this report. The report summarizes insights from decades of research on community wildlife management, and draws lessons from new analyses focused specifically on engaging Indigenous Peoples and Local Communities (IPLCs) in combating the illegal trade in wildlife (ITW). Based on a recognition of the importance of community “voice” in enabling sustainable and effective outcomes, it goes on to survey the opportunities and constraints for IPLCs in terms of their participation in key international policy forums that influence wildlife management (specifically, the Convention on Biological Diversity; the Convention on International Trade in Endangered Species of Wild Fauna and Flora; the Convention on Migratory Species; the United Nations Environment Assembly; and the Inter-governmental Panel on Biodiversity and Ecosystem Services).

The long history of experience in community wildlife management remains crucially relevant for current efforts to combat the ITW crisis, but has been largely overlooked in the race for solutions emphasizing a top-down and increasingly militarized approach. In particular, effective enforcement requires community support for conservation and cooperation with authorities. The community wildlife management literature indicates when this is most likely to be forthcoming, and when it is not. Efforts to address unsustainable use and ITW often pay lip service to these lessons but fail to reflect them in the design and implementation of new programmes. Community-based approaches are frequently written off as ineffective, even before the necessary effort has been made to put in place the conditions that will make them effective. Building robust opportunities for IPLCs to be heard and to exercise their rights at all levels is critical in promoting more effective and equitable wildlife conservation strategies.

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## ACRONYMS

CAMI	Central Asian Mammal Initiative
CAMPFIRE	The Communal Areas Management Programme for Indigenous Resources
CBC	Community-based Conservation
CBD	The Convention on Biological Diversity
CBFM	Community-based Forest Management
CBNRM	Community-based Natural Resources Management
CWM	Community Wildlife Management
CITES	The Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	The Convention on Migratory Species
CoP	Conference of the Parties
DSI	Development Services and Initiatives
ECOSOC	United Nations Economic and Social Council
FECOFUN	Federation of Community Forestry Users in Nepal
FLoD	First Line of Defence in Combatting IWT project
FPIC	Free, Prior and Informed Consent
GMGSF	Global Major Groups and Stakeholders Forum
ICCAs	Indigenous and Community Conserved Areas
ICDPs	Integrated Conservation and Development Projects
IIFB	Indigenous International Forum on Biodiversity
ILK	Indigenous and Local Knowledge
IP	Indigenous Peoples
IPBES	The Inter-governmental Panel on Biodiversity and Ecosystem Services
IPLCs	Indigenous Peoples and local communities
IRDNC	Integrated Rural Development and Nature Conservation
IUCN	The International Union for Conservation of Nature and Natural Resources
IUCN ESARO	The IUCN Eastern and Southern African Regional Office
IUCN SULi	The IUCN Sustainable Use and Livelihoods Specialist Group
IWBN	Indigenous Women's Biodiversity Network
ITW	Illegal Trade in Wildlife

<b>IWT</b>	<b>Illegal Wildlife Trade</b>
<b>LMMA</b>	<b>Locally Managed Marine Area</b>
<b>MIKE</b>	<b>Monitoring the Illegal Killing of Elephants</b>
<b>MGs</b>	<b>Major Groups</b>
<b>MGFC</b>	<b>Major Groups Facilitating Committee</b>
<b>MoU</b>	<b>Memorandum of Understanding</b>
<b>NBSAP</b>	<b>National Biodiversity Strategy and Action Plan</b>
<b>NGO</b>	<b>Non-Governmental Organization</b>
<b>NTFP</b>	<b>Non Timber Forest Product</b>
<b>PES</b>	<b>Payment for Ecosystem Services</b>
<b>PFM</b>	<b>Participatory Forest Management</b>
<b>RRI</b>	<b>Rights and Resources Initiative</b>
<b>UNDP</b>	<b>The United Nations Development Programme</b>
<b>UNDRIP</b>	<b>The United Nations Declaration on the Rights of Indigenous Peoples</b>
<b>UN FAO</b>	<b>Food and Agriculture Organization of the United Nations</b>
<b>UNEA</b>	<b>The United Nations Environment Assembly</b>
<b>UNEP</b>	<b>The United Nations Environment Programme</b>
<b>UNESCO</b>	<b>The United Nations Educational, Scientific and Cultural Organization</b>
<b>WMA</b>	<b>Wildlife Management Area</b>

## EXECUTIVE SUMMARY AND POLICY IMPLICATIONS

This report responds to Resolution 2/14 passed at the second meeting of the United Nations Environment Assembly in May 2016, calling for “...an analysis of international best practices with regard to involving local communities in wildlife management as an approach to addressing the unsustainable use of and illegal trade in wildlife and wildlife products [...]”. This resolution was motivated by concerns about the recent upsurge in the illegal trade in wildlife (ITW), against a background of widespread unsustainable use of wildlife (covering fauna and flora, and including timber and fisheries).

This report synthesizes insights and lessons from decades of experience in community wildlife management (CWM), supplementing this with insights from more recent work focused on community-level responses to tackling the current ITW “crisis”. Building on the insight that community “voice” is a critical determinant of a policy regime that supports their effective engagement, the report further reviews the opportunities for Indigenous Peoples and Local Communities (IPLCs)<sup>1</sup> to participate in key relevant international deliberations and decision-making arenas, and the barriers they face.

The key findings are as follows:

### **1. Lessons from community-based wildlife management are clear, but there has been a chronic failure of implementation**

Best practices in fostering community wildlife management as a means to reduce unsustainable and illegal use and trade of wildlife have emerged consistently and clearly from decades of work, and many are well reflected in government policy commitments. However, there has been a consistent failure to implement key insights, particularly the devolution of rights by national governments to IPLCs to manage and benefit from wildlife conservation and sustainable use.

### **2. The focus on militarized approaches to combat ITW risks undermining both human rights and conservation effectiveness**

Partly as a result of an increased militarization of poaching, the response to the current ITW crisis has involved, in many places, the resurgence of a top-down protectionist approach emphasizing fences and fines, guns and boots. However, unless accompanied by strengthened accountability measures, this can lead to – and has led to – human rights abuses, restricted livelihood options, and hardship for IPLCs. These approaches can also backfire in conservation terms, driving disenfranchisement, resentment and anger. They also undermine the potential for collaborative approaches, such as increased IPLC participation in ITW.

### **3. It ain't what you do – it's the way that you do it**

Success in any site-level intervention against unsustainable use and ITW relies critically on the approach adopted and relationships. Local ownership of conservation interventions is an important part of success. Building trust, moving slowly, and allowing the long timescales necessary to develop cooperative relationships and understand community needs and priorities are also important. Building on traditional uses, practices, rules and

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<sup>1</sup> The terms “communities” and “IPLCs” differ according to context: We generally use “communities” when referring to local, site-level conservation activities (e.g. “community-based wildlife management”); and “IPLCs” where the rights and interests of many groups and peoples are concerned e.g. “IPLC engagement in international policy”).

governance institutions can enhance effectiveness where these are perceived as legitimate and equitable by community members. Livelihood options and ways to benefit from wildlife need to be chosen by community members themselves in accordance with their cultural and socio-economic values, and not imposed by external actors. This also applies to enforcement interventions – these will be more effective where they are “co-created”, i.e. where communities have a say in the setting of rules and penalties for breaking them, where traditional authorities are respected, and relations of trust between the enforcement authorities and communities have been built.

#### **4. Effective enforcement needs community support; community support needs effective enforcement**

Effective enforcement against ITW and community engagement can – and should – be mutually reinforcing. In any setting, good enforcement relies critically on support from communities, particularly through the provision of intelligence. On the other hand, communities need strong and reliable backup when their interests or resources are threatened, and it would endanger them to combat such threats themselves. Currently, however, enforcement is often poorly targeted and ineffective. It is often focused on communities and individuals who gain only a tiny fraction of the profits from ITW, are battling acute subsistence needs, and who are unaware of the extent or impact of ITW, while “kingpins” or other powerful players go unpunished.

#### **5. People need realistic incentives to cooperate in conservation and combating ITW**

Community members need a reason to support and actively engage in conservation, including anti-poaching. Rights and benefits are both important, though each may be inadequate alone. Empowerment of communities to manage their own resources through strengthened land and resource rights can be a strong motivating force. The overall benefits from conservation need to outweigh the costs of conserving it. This is particularly challenging given the high payoffs (to a few) of high-value ITW. Although benefits need not necessarily be financial, where people are facing acute subsistence needs – or where living with wildlife imposes significant costs – financial incentives may be critical. Ways for communities to benefit financially from wildlife include tourism based on viewing or hunting wildlife, harvesting of and trade in non-timber forest products (NTFP), payments for ecosystem services (PES), and wildlife-related employment (e.g. as guards or guides). These different options must be culturally appropriate and self-chosen by local people. CWM is more challenging when land has high agricultural or development potential and/or where wildlife is migratory, difficult to view or monitor, scarce or degraded, or where the use of species is restricted by national or international restrictions.

Elite capture (the inequitable capture of benefits by more powerful individuals) is a constant threat that can undermine the potential engagement of the community as a whole. Communities are made up of individuals with different priorities and motivations, and interventions need to understand these in order to target the right people. Including women as direct beneficiaries and key stewards of natural resources is critical.

So-called “alternative livelihood” initiatives are often deployed as a mechanism to reduce unsustainable and/or illegal use of wildlife by IPLCs. However, the evidence-base for the effectiveness of these initiatives is very limited. Many suffer from poor design, and outcomes can even undermine conservation in the long term.

## **6. An enabling environment must be created**

Individual site-level projects can be very appealing as they promise direct action, but in the long term creating an environment of governance, policy and partnerships that fosters and supports communities to be active participants in conserving wildlife is likely to have far greater impact. CWM needs a supportive governance framework with enabling policy and regulation at local, national and international level, and one that is straightforward for communities to negotiate. National and international policy often restricts rights to use and manage wildlife to such an extent that it leaves little or no economic value for local people, thereby removing their incentive to conserve it. The removal of traditional hunting, gathering or grazing rights sparks resentment and perpetuates illegal behaviour. Far from resulting in non-use, the lack of rights to use wildlife frequently translates in practice into unmanaged, unmonitored and often unsustainable illegal use. Establishing clear, secure and enforceable rights (including land tenure) for communities to sustainably use, manage and benefit from conservation and wildlife is a fundamental basis for effective community-based wildlife management. Communities therefore need support and help in securing the transfer of, and respect for, land and resource rights at national level. International restrictions imposed via multilateral agreements or import restrictions should be based on very careful consideration of how these will affect community wildlife management at the local level.

Policies often ignore the benefits of using land for wildlife, and favour agricultural, extractive or other commercial development. This drives loss of wildlife and can restrict community rights and interests. Wildlife policy needs to be integrated into sectoral and development policies and land-use planning.

Research has shown a strong correlation between the high prevalence of ITW and high levels of corruption. Corruption hampers CWM and facilitates ITW. Because tackling corruption is a complex and monumental task, a common response is to do nothing. But small anti-corruption steps that are integrated into wildlife-related initiatives can prove beneficial.

Building the technical, financial and managerial capacity of communities often requires initial support from external sources, including community-based organizations, NGOs, donors, government agencies and the private sector. When supporting and building these partnerships, however, it is critical to avoid domination by potentially conflicting agendas.

## **7. Legitimate, functional community governance institutions must be fostered**

Effective community governance requires clarity on who constitutes the community doing the managing. Legitimate institutions need to be developed within and by these communities to ensure equitable benefit sharing and effective resource management, based on respect for legitimate traditional institutions where these exist. These power structures must be accountable to the community. Attention must be paid to understanding the diverse and heterogeneous groups within communities and how power and benefits are shared.

## **8. Communities need greater voice at all levels**

Finally, and perhaps most importantly, communities need greater voice in decision-making as well as in the development of policies that affect them. This applies at every level, from local to global. Despite well-established policy commitments on the importance of IPLCs in conserving wildlife, IPLCs have little or no influence in conservation and wildlife

management decision-making at the national level. At international level their influence is highly variable – from well integrated to virtually absent. Clear "entry points" for IPLC input; the support of the secretariats of relevant international policy-making bodies; functioning IPLC networks; and the provision of dedicated funding are crucial to enable their meaningful participation and contribution to debate.

# PART ONE: INTRODUCTION

## 1.1 This report – background and scope

In May 2016, following concerns about the escalating illegal trade in wildlife and wildlife products, UNEA passed Resolution 2/14<sup>2</sup>. The Resolution called for “...an analysis of international best practices with regard to involving local communities in wildlife management as an approach to addressing the unsustainable use of and illegal trade in wildlife and wildlife products...” This report responds to that resolution. Compiled by the International Union for the Conservation of Nature (IUCN) and International Institute for Environment and Development (IIED) with financial support from UN Environment, it presents a synthesis of lessons from the literature on community-based approaches to wildlife management and a review of opportunities for community participation in international biodiversity policy-making processes.

Part One briefly sets the scene by highlighting relevant commitments on human and specifically indigenous rights, and reviews the rise of concern and policy attention regarding the illegal trade in wildlife (ITW) as the key international conservation issue prompting UNEA Resolution 2/14.

Part Two reports the results of a literature review carried out to identify lessons learned and best practices on involving communities in wildlife management. The review first addresses the large and well-established body of literature on community-based approaches to wildlife management, covering three decades of experience in this field, and draws out key lessons learned and best practices. However, the recent upsurge of high-value ITW has brought new dynamics and implications for conservation. The review therefore goes on to consider the limited literature in recent years specifically addressing community involvement in tackling ITW in the context of the current “crisis”.

The lessons from this experience, particularly on the factors that facilitate or constrain effective CWM, are highly relevant to the current debate on ITW. Yet, these lessons appear to have been overlooked in the urgency to find quick-fix solutions to a complex problem. Indeed, the three decades of literature on CWM is remarkably consistent in the lessons it highlights and the policy prescriptions it provides. This begs the question as to why these lessons are not being heeded. The answer may lie in the political nature of conservation and in the power of the vested interests that benefit from maintaining the status quo rather than embracing reform. UNEA could add value to the debate on communities and ITW not by reinventing the wheel and making recommendations that have been made numerous times before, but by encouraging Member States to take heed of the lessons already learned and seek to implement them.

As one of the reports we review points out, “democracy and sustainability are two sides of the same coin” (Nelson, 2010). That is to say, the crucial political and governance reforms required for CWM are only likely to happen when communities are able to demand their rights. For this they need to be organized and mobilized, and enabled to have a “voice”.

This insight brings us to Part Three of this report, which reviews the opportunities that currently exist for the participation of IPLCs in international policy-making processes of

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<sup>2</sup>[http://wedocs.unep.org/bitstream/handle/20.500.11822/17508/K1607258\\_UNEPEA2\\_RES14E.pdf?sequence=8&isAllowed=y](http://wedocs.unep.org/bitstream/handle/20.500.11822/17508/K1607258_UNEPEA2_RES14E.pdf?sequence=8&isAllowed=y)

relevance to conservation and ITW, as well as their effectiveness in practice. This part of the study is based on desk research supplemented with interviews and consultation with representatives of IPLC organizations that have engaged or attempted to engage with these processes. This review highlights key enabling and disabling factors for community participation in these policy arenas. It offers insights both for those arenas in which the role and participation of IPLCs is clearly recognized and supported, and for those which have no such official recognition and are only currently taking the very first steps towards such participation.

Part Four concludes the study by summarizing the lessons learned to date and making key recommendations for strengthening community engagement in wildlife management as a response to tackling unsustainable use, with a focus on ITW.

The terms "communities", "local communities", "Indigenous Peoples", "indigenous peoples and local communities", and "rural communities" are all used in relevant research literature and/or conservation policy, with varying meanings and implications. For instance, in international policy indigenous peoples and local communities are recognized as distinct, with indigenous peoples having fundamental identities as "peoples" with collective rights recognized in international human rights law, while local communities do not. For the purposes of this report, we adopt the following practice with respect to terminology: We interpret the term "local communities" (as used in the UNEA Resolution and in other policy statements) to refer to rural communities living in close proximity to wildlife, encompassing both indigenous peoples and non-indigenous local communities. Throughout the paper we use either "communities" or "IPLCs", depending on context. When discussing the research literature concerned primarily with site-based conservation interventions, we use the terminology typically used in this literature of "communities", "community conservation", "community-based wildlife management" and so forth. When discussing contexts that affect communities and peoples at larger scales, such as national or international policy processes, we use the term "IPLCs", which is well entrenched in the policy of the Convention on Biological Diversity (CBD). The exception to this is when we are referring explicitly to indigenous peoples only, in which case we use the term "Indigenous Peoples".

## **1.2 Framing the issue: rights of IPLCs in managing wildlife and combating unsustainable use and ITW**

Responding to unsustainable use and ITW requires actions and interventions that affect the way people use and interact with wildlife across the wide range of landscapes and seascapes inhabited by vulnerable species of plants and animals. These areas may be owned, managed, used or inhabited by IPLCs who rely on them and the species they contain for food, shelter, income and other livelihood needs, and whose cultures, traditions and wellbeing may be deeply embedded in these practices. Efforts by external actors to address unsustainable use and ITW can therefore have significant implications for the rights and livelihoods of IPLCs, either positive or negative, depending on how the interventions are implemented and the degree to which the actors involved respect or fail to respect their rights and interests.

Relevant rights span rights of individuals, peoples and communities, and include both substantive (e.g. life) and procedural (e.g. participation in decision-making) rights. IPLCs have suffered abuses and had livelihoods undermined in the name of conservation over many decades. This has been extensively if patchily highlighted in the literature, particularly in the context of evictions for the establishment of protected areas or due to the tightening

of restrictions around them (Brockington and Igoe, 2006). Concerns regarding respect for these rights are equally relevant to actions to combat unsustainable use and ITW.

While an exhaustive review of policy in this area is well beyond the scope of this document (for a recent comprehensive analysis of rights that conservation actors should observe, see Jonas *et al.* (2015)), we highlight here key high-level policy commitments of most relevance specifically to efforts to combat unsustainable use and ITW (Table 1). It is worth noting that while international law and policy represents commitments made by signatory states, human rights commitments are also binding upon international organizations, and there is an argument that conservation NGOs likewise have an obligation to avoid infringing these rights (Makagon *et al.*, 2014). In Table 1 we include key international commitments made by States, as well as a set of commitments made by leading international conservation NGOs.

Table 1. Major policy principles and commitments of key actors relevant to the rights of IPLCs in managing wildlife and combating unsustainable use and ITW.

### High level intergovernmental policy commitments

<b>Rio Declaration (1992)<sup>3</sup></b>	<p>Principle 10. Environmental issues are best handled with the participation of all concerned citizens, at the relevant level.</p> <p>Principle 21. The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.</p> <p>Principle 22. Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.</p> <p>Principle 20. Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.</p>
<b>Convention on Biological Diversity (1992)<sup>4</sup></b>	<p>Preamble: recognizes the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components, and the need for full participation of women at every level</p> <p>Article 8(j) [...] respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities [...] and promote their wider application with the approval and involvement of the holders of</p>

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<sup>3</sup> <https://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>

<sup>4</sup> See article 10 (c ) and 8 (j) <https://www.cbd.int/convention/articles/default.shtml?a=cbd-10>

such knowledge, innovations and practices

Article 10(c) [...] protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements

**WSSD Plan of Implementation<sup>5</sup> (2002)**

44. Biodiversity [...] is currently being lost at unprecedented rates due to human activities; this trend can only be reversed if the local people benefit from the conservation and sustainable use of biological diversity

**UN Declaration on the Rights of Indigenous People (2007)<sup>6</sup>**

Article 8.

2. States shall provide effective mechanisms for prevention of, and redress for: [...]

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources

Article 18.

Indigenous peoples have the right to participate in decision-making in matters affecting their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19.

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 26.

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

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<sup>5</sup> [http://www.un.org/esa/sustdev/documents/WSSD\\_POI\\_PD/English/WSSD\\_PlanImpl.pdf](http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/WSSD_PlanImpl.pdf)

<sup>6</sup> [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

**CBD Plan of Action on Customary Use of Biodiversity (2014)**<sup>7</sup> The objective of this plan of action is to promote, within the framework of the Convention, a just implementation of Article 10(c) at local, national, regional and international levels and to ensure the full and effective participation of indigenous and local communities at all stages and levels of implementation

**CBD Strategic Plan for Biodiversity 2011-2020**<sup>8</sup> Target 18: By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

### **Commitments made by leading international conservation NGOs**

**Conservation Initiative on Human Rights**<sup>9</sup> 1. Respect human rights  
Respect internationally proclaimed human rights; and make sure that we do not contribute to infringements of human rights while pursuing our mission.

2. Promote human rights within conservation programs

Support and promote the protection and realization of human rights within the scope of our conservation programs.

3. Protect the vulnerable

Make special efforts to avoid harm to those who are vulnerable to infringements of their rights and to support the protection and fulfilment of their rights within the scope of our conservation programs.

4. Encourage good governance

Support the improvement of governance systems that can secure the rights of indigenous peoples and local communities in the context of our work on conservation and sustainable natural resource use, including elements such as legal, policy and institutional frameworks, and procedures for equitable participation and accountability.

As these rights and obligations have to date rarely been considered in the literature around ITW or around CWM more generally, there is little literature on their application in this context. Nevertheless, they should form the bedrock of good practice in responding to unsustainable use and ITW. As a minimum, conservation initiatives focused on addressing unsustainable use and ITW should respect human rights; recognize the dependence of IPLCs on biodiversity; support meaningful participation of IPLCs at every level of policy and planning, including the full participation of women and youth; recognize and respect the

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<sup>7</sup> <https://www.cbd.int/doc/publications/cbd-csu-en.pdf>

<sup>8</sup> <https://www.cbd.int/decision/cop/?id=12268>

<sup>9</sup> <http://www.thecihr.org/about/>

importance of traditional knowledge; recognize and respect customary sustainable use of biodiversity; and ensure that IPLCs are not deprived of access to land and biodiversity resources.

### 1.3 The ITW “crisis” and the role of communities in tackling it

ITW is at the top of the international conservation agenda (Challender and MacMillan, 2014; Sutherland *et al.*, 2014). It is also high on the development agenda – many of the iconic species that are in the sights of poachers are in poor countries that depend on them to support tourism industries or the livelihoods of rural communities. The issue is also high on the security agenda, as ITW is, in many cases, associated with organized crime syndicates, illegal arms trafficking and, in some cases, armed militant groups (Carlson *et al.*, 2015). Targeted species include elephants, rhinos, pangolins and tigers, as well as an array of other high value species in trade receiving much less attention, including timber and medicinal plants, birds, reptiles, fish, and primates.

Although there is no definitive starting point for the current surge in ITW, data from the CITES Monitoring the Illegal Killing of Elephants (MIKE) initiative show an upsurge in elephant poaching from 2007 (CITES, 2017), peaking in 2011. Subsequently there was a decline in poaching but it remains at levels considered unsustainable. Rhino poaching in South Africa similarly increased significantly from 2008 (Standley and Emslie, 2013). There was international media attention on poaching in early 2012 following the slaughter of 300 forest elephants in Cameroon's Bouba N'Djida National Park. The number and range of national, regional and international statements and commitments on ITW made since then by a wide variety of public and private sources is evidence of the importance accorded to it. There has also been an increased level of funding allocated to tackling it. Analysis by the World Bank shows that \$1.3 billion was committed to combatting ITW between 2010 and June 2016, equivalent to about \$190 million per year, peaking at \$316 million in 2014 (Wright *et al.*, 2016).

The emphasis of most policy debates and funding allocations has, to date, been primarily on reducing the demand for illegal goods in consumer countries, and strengthening law enforcement along the supply chain. For example, the World Bank analysis by Wright *et al.* (2016) shows that about 46% of the funding was allocated to protected area management to help prevent poaching, and a further 19% went to law enforcement, including intelligence-led operations and transnational coordination. By contrast, community engagement received far less attention and investment. The World Bank analysis shows that only 15% of the \$1.3 billion spent on ITW has been allocated to initiatives intended to support community livelihoods. This is not through lack of awareness that it is important to engage communities, at least not at the policy level. Many intergovernmental statements in recent years include clear commitments regarding boosting the roles and rights of communities (Table 2). The issue may rather be that there is no detailed understanding of how to deliver this on the ground and a reluctance to embrace the fundamental changes required (IUCN SULi *et al.*, 2015). There is no blueprint approach and no detailed, clear understanding of how to engage a wide range of relevant communities, which are diverse and often complex. Socio-economic, political, legal, environmental, and historical factors influence the nature of community interactions with wildlife and wildlife authorities, and their perceptions of and attitudes towards ITW (Biggs *et al.*, 2017; Cooney *et al.*, 2017). All these factors will influence the types of community engagement intervention likely to be effective.

**Table 2: International Policy Commitments on Communities and ITW**

<b>London Declaration (2014)</b> <sup>10</sup>	<p>Increase capacity of local communities to pursue sustainable livelihood opportunities and eradicate poverty</p> <p>Work with, and include local communities in, establishing monitoring and law enforcement networks in areas surrounding wildlife</p>
<b>Kasane Statement (2015)</b> <sup>11</sup>	<p>Promote the retention of benefits from wildlife resources by local people where they have traditional and/or legal rights over these resources. We will strengthen policy and legislative frameworks needed to achieve this, reinforce the voice of local people as key stakeholders, and implement measures which balance the need to tackle the illegal trade in wildlife with the needs of communities, including the sustainable use of wildlife.</p>
<b>Brazzaville Declaration (2015)</b> <sup>12</sup>	<p>Recognize the rights and increase the participation of indigenous peoples and local communities in the planning, management and use of wildlife through sustainable use and alternative livelihoods and strengthen their ability to combat wildlife crime.</p>
<b>UN General Assembly (2015)</b> <sup>13</sup>	<p>Support [...] the development of sustainable and alternative livelihoods for communities affected by illicit trafficking in wildlife and its adverse impacts, with the full engagement of the communities in and adjacent to wildlife habitats as active partners in conservation and sustainable use, enhancing the rights and capacity of the members of such communities to manage and benefit from wildlife and wilderness.</p>
<b>Sustainable Development Goals target 15.c (2016)</b> <sup>14</sup>	<p>Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities</p>
<b>Hanoi Statement (2016)</b> <sup>15</sup>	<p>Recognize the importance of supporting and engaging communities living with wildlife as active partners in conservation, through reducing human-wildlife conflict and supporting community efforts to advance their rights and capacity to manage and benefit from wildlife and their habitats; and developing collaborative models of enforcement. Sustainable livelihoods are most likely to be secured with the engagement of relevant community groups and the appropriate retention of benefits from wildlife for local people surrounding protected areas. The active participation of local people is critical to effective monitoring and law enforcement as well as sustainable socio-economic development.</p>

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<sup>10</sup> <https://www.gov.uk/government/publications/declaration-london-conference-on-the-illegal-wildlife-trade>

<sup>11</sup> <https://www.gov.uk/government/publications/illegal-wildlife-trade-kasane-statement>

<sup>12</sup> [http://www.greatervirunga.org/IMG/pdf/brazza\\_declaration\\_final\\_en.pdf](http://www.greatervirunga.org/IMG/pdf/brazza_declaration_final_en.pdf)

<sup>13</sup> <http://undocs.org/A/RES/69/314>

<sup>14</sup> <http://www.un.org/sustainabledevelopment/biodiversity/>

<sup>15</sup> [http://iwthanoi.vn/wp-content/themes/cites/template/statement/Hanoi\\_Statement\\_on\\_Illegal\\_Wildlife\\_Trade.pdf](http://iwthanoi.vn/wp-content/themes/cites/template/statement/Hanoi_Statement_on_Illegal_Wildlife_Trade.pdf)

**UN General  
Assembly  
(2017)<sup>16</sup>**

Increase the capacity of local communities to pursue sustainable livelihood opportunities, including from their local wildlife resources, and eradicate poverty, by promoting, inter alia, innovative partnerships for conserving wildlife through shared management responsibilities, including community conservancies, public-private partnerships, sustainable tourism, revenue-sharing agreements and other income sources, such as sustainable agriculture.

Initiate or strengthen collaborative partnerships among local, regional, national and international development and conservation agencies so as to enhance support for community-led wildlife conservation and to promote the retention of benefits by local communities for the conservation and sustainable management of wildlife.

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<sup>16</sup> <http://undocs.org/A/71/L.88>

## PART TWO: LESSONS AND BEST PRACTICES IN INVOLVING COMMUNITIES IN WILDLIFE MANAGEMENT – EXPERIENCE TO DATE

### 2.1. Lessons learned from the extensive history of CWM

#### 2.1.1 Background and scope

The UNEA Resolution calls for guidance on involving communities in wildlife management as a response to "addressing the unsustainable use of and illegal trade in wildlife and wildlife products" generally. Decades of experience in engaging and supporting communities in sustainable wildlife management can help inform current efforts. These initiatives are variously termed integrated conservation and development projects (ICDPs), community-based natural resources management (CBNRM), participatory forest management (PFM), community wildlife management (CWM) or community-based conservation (CBC). Sometimes the terms have a specific meaning and at other times they are used interchangeably. In this section we review this literature, and in section 2.2 we go on to examine more recent lessons in tackling the current surge in ITW.

There have been numerous reviews of the impact and effectiveness of these approaches at the global (Anderson and Mehta, 2013; McShane and Wells, 2004); regional (Hulme and Murphree, 2001; Roe *et al.*, 2009); and national (Braganza *et al.*, 2012; Mauambeta and Kafakoma, 2010) level. The intention here is neither to repeat these analyses, nor to assess the impacts and achievements of community-based approaches, but rather to revisit the key lessons learned in terms of the factors that enable or constrain success and to explore the relevance of these lessons to today's context. Thus, our literature search focused predominantly on existing global, regional (predominantly Africa, Asia, Latin America) or thematic reviews of experience. We captured other literature – such as national or site-specific case studies and donor/implementer reports – opportunistically, to enrich the synthesis of lessons from the broader reviews, but we did not conduct a systematic or comprehensive review of all the literature due to time and resource constraints. Our review was limited to English language literature, and included journal articles, books, book chapters and technical reports dating from 1990 to 2017.

The literature we found was heavily biased towards Africa, and in particular towards Southern Africa. It was also dominated by literature on formal/planned initiatives with a paucity of information on endogenous community management systems, mirroring the experience of other reviews (e.g. Anderson and Mehta, 2013; Shackleton *et al.*, 2010). Finally, we found far more literature on terrestrial rather than aquatic wildlife management systems.

#### 2.1.2 Key enabling and disabling factors for CWM

Here we highlight the key factors that emerged from this literature review as being key enablers or disablers of effective community action in managing and conserving wildlife. These range from physical and economic attributes of the resource itself, to policy issues at national and international level. There should be no surprises here – these factors resonate strongly with those identified decades ago by Ostrom (1990), Murphree (1998), Hartley and Hunter (1997), Roe *et al.* (2000) and many others. Many of these factors appear to have been overlooked, however, in the urgency to address the latest upsurge in poaching

and ITW, where an increased dependence on heavily militarized state-led law enforcement efforts and punitive penalties have become the norm.

### *Wildlife attributes*

For communities to be motivated to manage wildlife on their own land, or land where they are ascribed user rights, it has to be worth the investment of their time and effort. So wildlife has to have high social or economic value. In terms of social value, different species have different cultural and aesthetic values to different people. For some IPLCs, managing wildlife may be intrinsic to their culture, identity and spiritual values, but other groups may have no tradition of wildlife management. Local values need to be understood by those planning policy or interventions. In terms of economic value, local people will usually have to derive greater economic value from sustainable, legal wildlife use and management than from unsustainable, illegal use, or from alternative land uses, particularly when they are struggling to meet urgent subsistence needs.

Some commentators have questioned the viability of community management when wildlife values are exceptionally high. Freese (2012) notes that this can be due to a variety of factors including: 1) the difficulty of enforcing community property rights when the resource attracts poachers willing to take high risks; 2) powerful vested interests overriding weaker community rights; and 3) uncertainty over the future value of the resource resulting in a tendency to maximize harvest while the price is high (and to prevent poachers capturing the value instead). Similarly, Nelson (2010) identifies high value as one of the key obstacles to governments devolving authority over wildlife to local people, in that they consider it “too valuable for local people to own”. Overall, however, Kiss (1990) notes that while the absolute value of wildlife may be high or low, the key issue is how its management compares with other options, and the social cohesion of the community (see below). Roe *et al.* (2000) also highlight other attributes such as proximity, ease of utilization and seasonality in tune with livelihood strategies.

Kühl and Mrema (2011) have also highlighted challenges associated with community management of migratory species because of difficulties in gaining consensus on ownership. Rare or localized species are also challenging because opportunities for their sustainable use (to generate requisite benefits) are narrower: there may simply not be enough wildlife on which to base a viable initiative (Hartley and Hunter, 1997) and/or some level of national or even international oversight may be imposed. For example, Hartley and Hunter (1997) also warn of developing schemes that are reliant on species which may be affected by a CITES Appendix I listing, and the current political debate about trophy hunting once again highlights the level of external “influence” that may arise when charismatic species are involved. These issues are discussed further in the policy section below.

As much depends on the potential of the land as on the attributes or value of the wildlife itself: different types of wildlife and different types of land are suited to different forms of use. Photographic tourism, for example, requires easily accessible wildlife – including charismatic species – occurring at high densities and in open habitats. Tourist hunting, on the other hand, is more suited to habitat that is less accessible and less attractive to photographic tourists, but requires trophy-quality animals. Overall, wildlife has a higher comparative advantage on marginal land where alternative options such as agriculture may be less viable (Kiss, 1990, IIED, 1994) – although as technology improves year on year, agriculture becomes increasingly viable even in the most marginal lands. If land is too degraded, it may also not be worth community investment. For example, in Tanzania, much participatory forest management has taken place on highly degraded land, where

community involvement was sought as a last resort rather than as a strategy of choice. Consequently, potential incentives, returns and incomes in the early stages (e.g. after some 11 years at Duru-Haitemba forest) have been minimal (Blomley and Ramadhani, 2006). For many communities, faced with high levels of poverty, long-term environmental restoration entails short-term costs they simply cannot afford.

### *Community attributes*

Understanding the social context can be critical to the type of intervention and to the likelihood of its success. Many researchers and practitioners in the literature on CBNRM and CBFM suggest that communities (or community groups) that manage wildlife should be as small and homogeneous as possible. Chevallier and Harvey (2016), for example, note that smaller communities tend to work better than an amalgamation of disparate villages. Likewise DSI (2008) found mobilizing widely dispersed villages into one community structure is difficult (as well as expensive). Qin *et al.* (2017) found that low socioeconomic diversity and moderately effective community institutions can be associated with successful social and economic project outcomes. Similarly, Agrawal and Benson (2011) note that a user group's heterogeneity has negative effects on equity in distribution of benefits from the commons, but it is also generally detrimental to institutional functioning and livelihoods. In Ngamiland, Botswana, cultural heterogeneity and ethnic friction have been cited as having the most significant adverse influence on community organization (Thakadu, 2005). A number of analysts have, however, queried the importance of homogeneity. Pagdee *et al.* (2006) and Oldekop *et al.* (2010) found no definitive link between social diversity and conservation outcomes; while Brooks *et al.* (2006a,b) and Musavengane and Simatele (2016) found that there can be some benefits to heterogeneity including a wider diversity of conservation motivations and experiences.

In the real world, communities are not static, and rarely are they homogenous or generalizable entities. Instead, they can be highly heterogeneous and complex (Blom *et al.*, 2010). Failing to understand this heterogeneity can be the downfall of any community engagement initiative if little consideration is given to individuals within communities and the motives they might have to work against community-based conservation initiatives (Campbell and Vainio-Mattila, 2003). Indeed, Agrawal and Gibson (1999) have criticized the widespread preoccupation with "community" and suggested more attention should be given to the multiple actors with multiple interests that make up communities, and the processes through which these actors interrelate – especially the institutional arrangements that allow for this. Understanding communities, the groupings within them and the differences between groups is therefore critical to minimize and mitigate any conflicts that may emerge (Fabricius, 2004). Allowing "the community" to define itself can be one way to identifying the right, cohesive unit with which to work (Roe *et al.*, 2000).

Understanding the local cultural context is also critical in deciding on the types of interventions that may incentivize conservation. For example, some animals may be sacred. Mishra *et al.* (2017) point out that "[w]hile trophy hunting may be successfully implemented in an Islamic community with a strong tradition of hunting such as in Northern Pakistan, it would be highly inappropriate to propose it in a Buddhist area where wildlife is protected out of a sense of religious duty." Cultural taboos, customary sanctions, rituals and ceremonies can all help to encourage behaviour that is supportive of conservation. For example, in some regions of the Indo-Pacific, traditional ecological knowledge has determined the opening and closing of reefs (Sterling *et al.*, 2017).

## Community management organizations

There is a lot of debate in the literature as to the value of new or old structures for CWM. Hartley and Hunter (1997) note that a strong traditional authority is an advantage but a key factor is having a structure which can make decisions, is representative and has integrity, particularly in relation to benefit distribution. Ribot (2002) cautions against traditional authorities, noting: "giving powers to customary authorities does not strengthen democratic decentralization". They often inherit their positions, and their degree of local accountability depends on their personalities and local social and political histories. Traditional institutions can also be highly gender or ethnically discriminatory. For example, in Botswana's *kgotla* forums, women rarely speak, and if they do it is after an adult male has stated their perspective (Thakadu, 2005). Even among adult males, it is not typical for all men to present their view, but usually the domain of influential leaders. Where there are ethnic conflicts, a *kgotla* can be biased along ethnic lines.

On the other hand, writing on CBNRM in Malawi, Mauambeta and Kafakoma (2010) suggest that endogenous initiatives based on traditional beliefs, values and systems often have the highest potential for success. This is reinforced by Zulu's (2012) review of 16 years of CBNRM in the fisheries, forestry and wildlife sectors, which reflects that the imposition of modern CBNRM organizations and rules can reconfigure pre-existing power relations among village heads and committee members, generally undermining social and ecological outcomes (e.g. through generating competition or struggles for power between traditional and modern institutions). Zulu also notes that self-evolved community initiatives have typically performed better than government-introduced initiatives.

Nuulimba and Taylor (2015) note that "[i]n Namibia, a key axis of contestation concerns the relationship between existing Traditional Authorities and new CBNRM institutions. CBNRM policy and legislation do not formally provide for traditional leaders to be involved in conservancies and there is no requirement for conservancy committees to be sanctioned by local or regional political structures. This presents complications given the role of Traditional Authorities in ensuring sustainable resource use." Roe *et al.* (2000) suggest it is important to make a pragmatic assessment of which institutions have the capacity and motivation to manage wildlife resources, and to build on these wherever they lie: "experience seems to show that the solution lies with new learning institutions built on solid old foundations." Similarly Roe *et al.* (2009), Waylen *et al.* (2010a,b), Sukin (2011) and Nunan (2016) suggest that a combination of statutory and customary law can be an effective means of enabling natural resource governance.

Finding the right balance is tricky, however. Writing about territories and areas conserved by indigenous peoples and local communities (ICCAs), Borrini-Feyerabend and Kothari (2008) note that "many communities wish the governments to recognize their customary governance institutions without trying to mould them into standardized blueprint forms, or diluting their authority. At times, this can mean avoiding the imposition of "democratic" practices such as "electing" local leaders to "run" ICCAs or having outside experts descend into an area to "help out" [...]. [T]he fast and dirty imposition of rules concocted with the best of intentions by far away players may usher more problems than solutions."

Whether new or traditional, a common theme on wildlife management structures is that they should be devolved to the lowest level possible, corresponding to Ostrom's (1990) principles for common property resource management. In a review from Latin America, Alcorn (2014) suggests "self-generated [rather than externally imposed] community institutions that fit both local cultural and ecological conditions and national jurisdictional

frameworks are generally the most effective.” Emerging strongly is the need for “downward accountability”, but a number of commentators note that this has been difficult to achieve (Harrison *et al.*, 2015; Nunan, 2016). Child (2009) notes that “[s]trong communities are built by locating discretionary power in the individual and collective will of the people, not the committees that lead them. Only then should nested hierarchies necessary to manage natural resources begin to be constructed through upward delegation of authority.” Blomley and Iddi (2009) agree, noting that in the case of participatory forest management in Tanzania, because of a predisposition to focus extension efforts on the management committees rather than the wider community, there has been a tendency towards elite capture where the committee members (or other village leaders) capture and retain benefits to the detriment of others. Béné and Neiland (2006) writing on fisheries management also suggest that despite the focus of much literature on participation “the performance of a governance arrangement may not be the degree of participation per se, but the nature of the institutional settings that determine and enforce the degree of (downward) accountability of the decision-makers towards the local communities.” Blomley (2006) and Tole (2010) suggest, in the context of community forest management, that one way to build this downward accountability is to raise the awareness of local residents, forest users, managers and locally elected forest management committees about their rights and responsibilities, coupled with mechanisms that promote transparency, openness and flexibility.

Another common theme is the need for strong and effective leadership for maintaining energy and buy in (Pathak, 2006) and trust and conflict resolution (Berdej *et al.*, 2016; Gutierrez *et al.*, 2011; Pagdee *et al.*, 2006). In the spirit of downward accountability, leaders need to be answerable to their people, not people to their leaders (Child and Dalal-Clayton, 2004). “Effective leadership, charismatic leadership, and local champions are often hallmarks of success in conservation initiatives” (Sterling *et al.*, 2017)

Tenurial security does not necessarily imply absolute ownership or the power to exclude others from land or resources. Nor does it imply *de jure* recognition. While Chevallier (2016) suggests this would be in the best interests of communities, Borrini-Feyerabend and Kothari (2008) highlight that some communities may be reluctant to formalize rights where it might mean that they have to cede some control to the government, or have new rules and regulations imposed on them from above. Adhikari and Agrawal (2013), in a review of PES in Asia and Latin America, noted that the formalization of property rights can potentially undermine traditional (informal) resource access enjoyed by poorer households and that project design needs to account for this and build in other benefit streams for these groups. Also in the context of PES, Dougill *et al.* (2012) point out that in the case of mobile pastoralists in rangelands, land and resource rights can be very fuzzy, making project boundaries and target beneficiaries difficult to clearly define. Salafsky *et al.* (2001) suggest that the actual level of access to the resources is more important than having full legal control.

All these caveats aside, numerous commentators point out that the main ongoing impediment to successful community-based management is the *lack* of full devolution of resource rights from central (or sometimes local) government. Naughton *et al.* (1998) point out the “Catch-22” situation of the dearth of strong community-based organizations able to effectively manage natural resources and the resistance of governments to devolve rights: “Communities will not and cannot learn to manage until they have something worth managing.” Similarly Child (2009) points out that authority to manage resources is a prerequisite for successful community-based initiatives, not something that should be held

out as a reward for performance. Analysis by the Rights and Resources Initiative (RRI) in 2012, reported in Anderson and Mehta (2013), shows that, at least for forests, there has been no devolution of rights in Africa, where governments still own 98 percent of forest land. In Asia, the situation is a bit better – governments control about 68 percent, while individuals and firms own about 24 percent. The rest is owned by IPLCs, or designated for Indigenous Peoples. Only in Latin America has a significant shift occurred in tenure – governments control about 36 percent while IPLCs control about 39 percent.

One of the reasons for this slow movement towards devolution of tenure rights are the vested interests of other more powerful public and private stakeholders (see also section on national policy and legislation below). As Anderson and Mehta (2013) point out: “The decision to prioritize local claims and facilitate development of local communities is a question of choice, equity and politics – not of economics or sustainability.” Koch (2004) suggests that national-level federations of community-based organizations can help in pressing for transfer of, and then respect for, rights. In Nepal, for example, the regional and national association of forest user groups (FECOFUN), has been very successful as an influential force of grassroots democratic action in Nepal (Rechlin *et al.*, 2008). But Nelson (2010) highlights an overall democratic deficit with regard to African rural communities’ abilities to assert rights and privileges. Elsewhere in the world, Indigenous Peoples often have more formally established rights in national and international policy frameworks. In Africa the issue of indigeneity is often ambiguous and sometimes controversial. African rural communities may lack the political influence that international recognition of Indigenous Peoples as a key stakeholder group has brought elsewhere. Nevertheless, ongoing processes of democratization and decentralization are increasingly opening political spaces for civil society organizations to assert their influence in decision-making processes (Wright, 2017).

### *Community resource use rules and their enforcement*

Roe *et al.* (2000) and Salafsky *et al.* (2001) both point out that a key element of having secure tenure and resource rights is the ability to enforce these against both internal and external threats (and the sense of empowerment that comes from this ability to monitor and enforce rules (Anderson and Mehta, 2013)). There is general agreement in the literature that community-based management of wildlife is facilitated by local involvement in the setting and enforcement of rules – including the design and application of sanctions. Davis *et al.* (2016), writing from a Latin American perspective, highlight the need to ensure collaboration and free prior informed consent by communities in the development of rules for conservation interventions. Agrawal (2007) suggests that “rules that are easy to understand and enforce, locally devised, take into account differences in types of violations, help deal with conflicts and help hold users and officials accountable are most likely to lead to effective governance.” The rationale for this is that: a) local people are likely to have the best knowledge about the resource and b) are best placed to use that knowledge to devise appropriate rules that result in sustainable management (Arts and de Koning, 2017; Hayes and Persha, 2010; Persha *et al.*, 2011). There is discussion in the literature on the advantages or disadvantages of statutory and customary law, similar to the discussion about traditional or new resource management structures above. The consensus appears to be that a balance is needed between the two for CWM to be acceptable to all parties.

In the context of participatory forest management in Tanzania, Blomley and Iddi (2009) note that “where communities are aware of their rights and returns available under CBFM, evidence suggests that they are ready and able to defend them, through active patrolling of forest areas, arresting and fining of illegal forest users and the confiscation and sale of

forest produce and equipment.” Baldus (2009) also agrees that local resource management groups should set and uphold rules but acknowledges that this requires that sanctions must therefore be agreed in advance and they must be applied, irrespective of the status of those found guilty – something which can be difficult to enforce in traditional societies. Similarly Robinson *et al.* (2013), drawing on experience from REDD, note that while enforcement of community-agreed rules with respect to other community members may be feasible, enforcement against *external* timber extractors is much more complicated and can leave untrained and ill-equipped rural villagers in potentially dangerous situations. This resonates strongly with findings on community engagement in law enforcement against ITW and the need for community guards/rangers to be supported by formal (state/private) rangers (Wilkie *et al.*, 2016). Blomley (2006) agrees, noting: “Where market forces are extremely high (such as near large urban centres) it may prove impossible for villages to prevent the relentless and illegal stripping of assets by outsiders (typically charcoal and timber)”. The same is true in the case of high value wildlife in ITW, where community game guards, however well-motivated, are no match for heavily armed and organized criminal gangs (IUCN SULi *et al.*, 2015), and communities need effective and responsive backup from formal armed authorities with the power of arrest.

In addition to this need, experience from participatory forest management in Tanzania also highlights the need for payment or other forms of compensation for community inputs (Lokina and Robinson, 2008). Their research shows that where local community members are involved in monitoring and enforcement with no formal compensation or payment for their time, they are more likely to take bribes, resulting in enforcement being less effective: “Protection of PFM forests cannot rely on voluntary restrictions and community involvement in forest management does not automatically ensure that forests will be protected through voluntary restrictions. Even if villagers understand the benefits of less-degraded forests for watershed protection, microclimates, or environmental services including biodiversity, communities have immediate pressures such as the need for fuelwood, medicine, food, and income, which nearby forests provide at low cost, and outsiders have few incentives to voluntarily restrict their use.” They suggest better enforcement is likely to happen if community guards are formally compensated through external enforcement budgets and given a formal share of fine revenue: “This will reduce the likelihood of bribes; provides an incentive for the patrollers to put effort into enforcement; and could reduce conflict.” Hayes and Persha (2010) in a case study of forest management in Nicaragua agree: “Community forest guards stated that if they did not receive a stipend, they would not monitor.”

### *National policy and legislation*

For CWM to flourish there has to be a supportive policy and legislative framework at the national level that facilitates devolved management, sustainable use and associated strong and effective community organizations and institutions. Delgado-Serrano *et al.* (2015) drawing on case studies from stakeholders in Colombia, Argentina and Mexico identify public policies, governance systems and legal frameworks for management of natural resources, markets and mega projects as key influencers of success. In Namibia, community-based natural resources management and associated rights to manage and benefit from wildlife is written into national policy from the Constitution downwards. This is not the case in the majority of countries. Reviewing 20 years of experience with CBNRM in Australia and New Zealand, however, Curtis *et al.* (2014) underline that CBNRM is *not* a blueprint that can be rolled out nationally. Instead, it needs complementary national policy instruments that support a coherent, capable and multi-level governance approach that

allows for tailoring to the local context. Blom *et al.* (2010) note that in many cases, rather than being supportive, national policies and decisions have been some of the most significant barriers to the success of community management initiatives as well as being some of the most significant underlying drivers of tropical deforestation and forest degradation.

Relevant policies are not just those that provide the framework for devolved management and sustainable use of wildlife but also other sectoral policies that inadvertently can undermine these. For example, Kiss (1990) points out that “perverse” policies, such as direct and indirect subsidies to the livestock sector, are a constraint to successful CWM as are quarantine and veterinary policies that constrain production and sale of wild meat. Naughton *et al.* (1998) suggest that exactly this problem is evident in Botswana where, although the national policies are generally supportive of conservation, the Ministry of Agriculture’s network of veterinary fencing in support of beef producers is not. Hartley and Hunter (1997) warn that, aside from specific sectoral policies such as agriculture, CWM must be placed within the broader context of land use policy including settlement/development controls and also coordinated with other sectoral policies/legislation such as veterinary measures. A recent article in *The Guardian* highlights the lack of coordinated land use planning as a key impediment to wildlife conservation – far greater than the threat posed by poaching, illegal trade in wildlife or other forms of unsustainable use (Randerson, 2017).

A number of commentators also suggest that where policy is favourable to community-based management this needs to be encoded in legislation rather than being subject to the whim of successive administrations where, as Lawry and McLain (2012) note, the potential for backtracking and cancellation is real. Alcorn (2014) notes that in Latin America, clear legal frameworks for community forestry have been critical to success. Cronkleton *et al.* (2012) advocate, however, that legal frameworks need to be as simple as possible. Indeed, the level of bureaucracy associated with the complex regulations and guidelines for community wildlife management are noted by a number of commentators as being a further key impediment (Pulhin *et al.*, 2007). Taylor and Murphree (2007) suggest that “donors and governments should explore a minimum standards approach to CBNRM.” Rural communities need institutional development and support but are often plagued with overly complex and prescriptive planning, and organizational and procedural requirements.” As an example, Nelson (2007) describes the struggle that communities in Tanzania have had in fulfilling the time-consuming and complex set of procedural prerequisites that are required to establish Wildlife Management Areas.

Fabricius *et al.* (2004) suggest a number of working principles for policy-makers to support community-based management, which still seem pertinent today. These include principles for the policy process such as:

- Ensure that the policy process is adaptive and flexible and drawn on local experience.
- Policy papers must be easy to understand and easier to get to.
- Create broad, overarching national or sub-national policies that provide the foundation upon which to build local rules based on local knowledge and customs.
- Fines and other sanctions must get progressively stricter when rules are broken.
- Encourage inter-agency cooperation and coordination but beware of establishing new, complex and cumbersome bureaucracies.

And for the policy content, principles such as:

- Aim to hand down authority to the resource users themselves, once they have the necessary training and skills, with conditions clearly articulated and understood.
- Give people long-term security and rights to resources and land.
- Make it easy for communities to reap financial benefits from CBNRM and guarantee certain non-financial benefits including technical, financial and political support.

While national wildlife management policy should be set at the national level, international policy also has an influence. Abensperg-Traun *et al.* (2011) and Cooney and Abensperg-Traun (2013) highlight the potential implications that the Convention on International Trade in Endangered Species (CITES) has for livelihoods based on CWM, for example, in terms of restricting levels of use of certain species. More unintended consequences can occur, however, when the national policy of one country affects the options for community wildlife management in another. For example, following the furore over the killing of “Cecil the Lion” there has been increasing international argument against trophy hunting, with some countries introducing unilateral bans against the import of trophies from some species – even though the hunting and export is completely legal in the country of origin. This has the effect of curtailing the potential incentives derived from benefit flows from wildlife management to some communities, with implications for conservation outcomes. Naidoo *et al.* (2016) for example describe how both hunting and photo tourism are necessary to generate sufficient revenue to support community conservancies in Namibia. If trophy hunting were to be banned they estimate that the financial viability of conservancies covering an area of *circa* 50,000 km<sup>2</sup> would be compromised.

### *External Support and Influence*

A number of commentators highlight the need for external agencies to support communities in their efforts to manage wildlife (Adhikari and Agrawal, 2013; DSI, 2008; Ribot, 2002). This includes technical support; capacity support to community organizations; civic education to raise awareness of rights; support in voicing and claiming those rights; and support to counter external threats and corruption. Bowler *et al.* (2010) highlight that limited technical and institutional capacity prevents communities responding to incentives for community-based forest management. And in a global review of community conservation initiatives, Brooks (2017) notes that strengthened local institutional capacity is an important precondition for success. This view is echoed by Kellert *et al.* (2000) who suggest that institution building may be more important to success than socio-economic development. In particular, Brooks (2017) suggests that building institutional capacity could help with fostering interactions among community members that can be important, for example, in community monitoring and patrolling efforts.

As the sections below describe, there are numerous sources of such external support – from networking with other community-based organizations to partnering with NGOs, donors, governments and the private sector. Govan *et al.* (2006) suggest that all can be important and that multi-stakeholder partnerships can help develop a shared national vision and a strategy for achieving that vision, although warning that it is important that “the aspirations of communities are treated as the main driving force.” Dressler *et al.* (2010) concur. Based on a review of CWM in seven countries (Philippines, Nepal, Madagascar, South Africa, Nicaragua, USA and Canada) they note that the bureaucracies of actors such as government and external funders has contradicted and undermined the purpose of strengthening and empowering community control. Berdej *et al.* (2016) uses the term “governance from the ground up” to describe the need for both horizontal (community

level) and vertical (community to national and beyond) networks for effective community conservation.

### *Governments*

The *National policy and legislation* section above highlights the role that governments play in establishing an enabling policy and legislative framework for CWM. But, they have other important roles too. Specifically, a number of authors point to the role of governments as service providers as well as regulators (Braganza *et al.*, 2012). Discussing CAMPFIRE in Zimbabwe, Harrison *et al.* (2015) for example, highlight the need for efficient government-led technical extension services to support community-based efforts. Also writing on CAMPFIRE, Rihoy and Maguranyanga (2007) note that although the Rural District Councils have been heavily criticized for capturing the benefits of wildlife management rather than it flowing direct to communities, in a period of political instability they also played a critical role in maintaining political support at the national level (in a context of pressures for recentralization).

Baynes *et al.* (2015) suggest that government support to community forestry is critical for helping communities navigate complex administrative procedures and planning requirements, so going beyond development of supportive legislation to “technical advice and assistance, training for record keeping, infrastructure and funding”. They note, however, that the positive aspects of government support such as those described above are often nullified by negative aspects associated with patronage and corruption (see below). Indeed, Chabal and Daloz (1999) point to a clear causal link between complex administrative procedures and corruption. They note, therefore that “government support is an important but not necessary or sufficient factor in its own right.” This highlights the importance of other actors, as discussed below.

### *Non-Governmental Organizations (NGOs)*

NGOs are the most common type of support partner associated with CWM initiatives. Brosius *et al.* (1998) highlight how NGOs have been “some of the most enthusiastic promoters of the community-based conservation concept”. Campbell and Vainio-Mattila (2003) attribute this to the fact that they are seen as participatory, less bureaucratic than state institutions, and more able and willing to address the needs of local people.

NGOs can perform a number of valuable roles: Horwich and Lyon (2007) highlight their importance in helping to create and strengthen community-based organizations; Elliot and Sumba (2011) emphasize a specific role of building capacity to engage with the private sector – including strategic planning, financial management and accountability; while Sukin (2011) emphasizes their role in building both technical and political capacity. In a review of REDD, Robinson *et al.* (2013) emphasize the importance of NGOs in bringing together diverse constituencies, raising awareness among different stakeholders, designing new initiatives and strengthening local institutions. Hayes and Persha (2010) highlight how NGOs can play a critical role as a buffer between communities and government agencies, particularly in terms of supporting the monitoring and enforcement of local resource management rules – including paying stipends for community rangers and guards (see section on local rules above). As a specific example, Wilkie *et al.* (2016) describe how the Northern Rangelands Trust in Kenya provides financial and technical support for community monitoring and patrolling.

However, NGOs are not always seen to play a positive role. A number of commentators warn about possible conflicts of interest with NGOs. Hartley and Hunter (1997) point out

that “the policy objectives of NGOs are often shaped by their campaigns and the need to sustain membership. This leads to a conflict over values and approaches.” Similarly Campbell and Vainio-Mattila (2003) query the extent to which environmental NGOs really do represent the interests of communities and Roe *et al.* (2009) suggest that big support NGOs need to increase their accountability to local African constituencies rather than national-level governance institutions. This is echoed by Brockington and Scholfield (2010) who describe many NGOs' actions in pursuit of conservation as blurring the lines between NGOs and states. Furthermore, NGOs are often accused of serving their own financial ends by being middlemen operators whose “profit” is generated on the interface between communities and donors or policymakers (Bonner, 1993).

Chevallier and Harvey (2016) suggest that NGOs need to move away from being distant external providers to becoming genuine capacity builders and trusted partners. IRDNC, a Namibian NGO which has been supporting CWM since the 1990s, reviewing its own lessons learned from 20 years in the field, also emphasizes that “support agencies need to develop real relationships and equal partnerships with target communities, understand local issues and problems, and not just pursue their own agenda” (Jacobshn, 2011). These lessons are pertinent in the current context of ITW and the increasing involvement of animal welfare and animal rights NGOs who may have a very different agenda to those promoting sustainable use. Martin (2012) and Norton-Griffiths (2007) provide perspectives into the rising influence of the animal welfare movement within African conservation discourse and practice.

#### *Donors*

Donor agencies obviously play a critical role in providing financial support for CWM. A number of commentators have pointed out the need for long-term support for community initiatives, which is sometimes at odds with the conventional three to four year project duration – although this has to be carefully managed to avoid a culture of aid dependency. UNDP (2012a) suggest that small grants to small local organizations can provide a good complement to large, national-level projects and programmes. (See Hughes *et al.* (2014) for a review of donor funding to small organizations). Wicander and Coad (2015), writing on alternative livelihood projects, similarly point to the need for funding packages that “provide realistic levels of support and are dispersed over longer timeframes”. Chevallier (2016) agrees that many donor-funded projects end prematurely, before the programme and its institutions have become self-sustaining. Kothari *et al.* (2013) make the point that communities themselves do not typically initiate conservation related practices as a “project” – such activities are part of life itself. Therefore, where introduced as an external intervention, there has to be an understanding that this is a process and not a time-bound project, and that one of the first requirements is adequate time to develop trust with communities.

Roe *et al.* (2009) suggest that donor support needs to be flexible, adaptive, innovative and focussed on the goals of local resource managers themselves. Blomley and Ramadhani (2006) suggest this means there needs to be a willingness to “support the process as it unfolds rather than strict adherence to outdated project tools such as logframes and timelines”. Kawaka *et al.* (2017) suggest from a review of experience of Locally Managed Marine Areas (LMMAs) in Kenya that donor funding is critical though reliance on outside donors is unsustainable, and as such communities should have access to budgets used by donors and NGOs to help build understanding on the costs associated with LMMAs.

### *Private sector*

Since the 1990s CWM practitioners have highlighted the private sector as a critical untapped resource (Anderson and Mehta, 2013; Spiteri and Nepalz, 2006; Steiner and Rihoy, 1995). Mazambani and Dembetembe (2010) suggest that partnerships with the private sector have been critical in providing the capital and managerial skills for enterprises based on wildlife management such as ecotourism or harvesting of non-timber forest products. Similarly Braganza *et al.* (2012) note that partnerships with the private sector are “[v]ital to enabling communities to move from a resource protection and rehabilitation role to enterprise development agents”. Koch (2004) suggests that community-private sector partnerships not only make sense with regard to commercial success and sustainability, but can also represent a progressive political force that can be used to protect or strengthen local people’s existing resources rights, as well as lobby for the creation of new policies and legislative reforms.

Roe *et al.* (2009) warn, however, that private sector partners can be risky allies. While they have a vital role to play in the ideas and markets needed to make community initiatives work, their commitment to community aspirations is crucial. Ogutu *et al.* (2017), meanwhile, note that there are limitations to what the private sector can do on its own. Writing specifically about private investors in tourism enterprises who pay lease fees to community landowners, they suggest that donors and governments need to provide a long-term and robust source of funding for community conservation in parallel to their efforts, rather than relying on private investments alone, especially when there is a slump in tourism and relatively few market-based mechanisms and opportunities.

### *Corruption*

Corruption, and the limitations it places on genuine devolution of rights over wildlife to local people, is a recurring theme throughout the literature. Nelson (2010) points out that a common cause of failure of CBNRM is unwillingness at the political centre to divest authority over natural resources. Writing from an African context he notes that policymakers that control natural resource governance reform processes generally have substantial disincentives to implement such measures. Nelson (2010) suggests this is largely to do with vested interests and the ability to extract rents. O’Criodain (2011) summarizes the issue: “corruption is a fundamental impediment to CBNRM – it allows powerful vested interests to influence government and in doing so the rights of marginal communities are trampled on.”

A detailed review of corruption in the context of wildlife management is beyond the scope of this paper, but Williams *et al.* (2016) provide a review of the literature on corruption in the context of ITW. Types of corruption discussed included: bribery, rent-seeking, patronage, local elite capture, embezzlement, collusion, payoffs, policy and legislative capture, cronyism, nepotism and so on – all issues which also emerge in this literature review. Williams *et al.* identify an equally broad range of actors often implicated in corruption including politicians and high-level public officials (e.g. members of the judiciary), law enforcement officials, forest and wildlife department officials, private sector firms, local elites, and even employees of conservation organizations. They suggest that to date there has been very little collaboration between the anti-corruption community and the conservation community and that this needs to change in order to design develop and integrate new strategies for tackling corruption into community wildlife management initiatives – especially in the context of tackling ITW.

## 2.2 Lessons learned on engaging communities in tackling ITW

The upsurge of high-value international ITW in recent years presents a new – in some ways – context for combating unsustainable use. In this section we focus specifically on recent lessons learned from efforts to engage communities in tackling the current crisis of international ITW – such as the poaching of elephants and rhinos for ivory and horn destined for foreign markets.

Recognizing the lack of attention paid to the role of Indigenous Peoples and Local Communities (IPLCs) in tackling ITW, the International Union for Conservation of Nature (IUCN), the International Institute for Environment and Development (IIED), TRAFFIC and other partners have, since 2015, been attempting to synthesize this experience. The “Beyond Enforcement” initiative has brought together policymakers, practitioners, IPLC representatives and researchers to share their experiences in one international (IUCN SULi et al., 2015b) and two regional workshops (Cooney et al., 2016a, Cooney et al., 2016b). Linked to this work has been the development of a Theory of Change focused on how, and through what pathways, action at community level can reduce ITW (Biggs et al., 2017), and a framework for understanding community-level incentives for engaging in ITW vs. supporting conservation (Cooney et al., 2017). In addition, there has been the active testing of the dynamic Theory of Change in the field, through a newly-developed programme known as *Communities: First Line of Defence against IWT – FLoD*<sup>17</sup> led jointly by IUCN’s Eastern and Southern Africa Regional Office, SULi and IIED.

In other important initiatives, Wilkie et al. (2016) have explored through literature review and expert interviews the risks and rewards for communities of engaging in efforts to counter wildlife crime. This work examines what roles communities do and should play in countering wildlife crime; their motivations; what benefits they might gain; and what risks they might be exposed to in doing so. There has also been an emerging body of work focused on “green militarization”, highlighting *inter alia* the increasing use of military equipment, tactics and training in the conservation context and the prejudicial impacts this can have on IPLCs (Büscher and Ramutsindela, 2015; Duffy, 2014; 2016; Duffy et al., 2015; Lunstrum, 2014).

Building on the examples provided through the “Beyond Enforcement” workshops and the FLoD field programme, IIED has established an online database of case studies documenting examples of community engagement initiatives<sup>18</sup>. Based on these case studies plus a global literature review, IIED has assessed the evidence for the effectiveness of community engagement approaches in tackling ITW (Booker and Roe, 2016). This study found that the most common approach to community engagement was direct involvement in anti-poaching activities – as community guards/scouts or informants. Another common approach was the introduction of livelihood support activities (both wildlife-based and non-wildlife based). Wildlife tourism development was the most common form of livelihood support activities deployed – sometimes specifically to engage poachers, but more commonly used to generate conservation incentives for the broader community. Human-wildlife conflict mitigation was also commonly employed. Very few initiatives involved

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<sup>17</sup> <https://www.iucn.org/regions/eastern-and-southern-africa/our-work/conservation-areas-and-species/communities-first-line-defence-against-illegal-wildlife-trade>

<sup>18</sup> <https://communitiesforwildlife.iied.org/>

community members benefiting from sustainable harvesting and/or legal trade in wild species or their by-products as a conservation incentive.

From this work focused on the ITW upsurge, a number of key lessons emerge:

**1. *The role of IPLCs in conservation and natural resource management is in many cases being overlooked***

While there has been strong recognition of the important role of IPLCs in governance and conservation of biodiversity generally over recent years, in the context of ITW this linkage is often being overlooked, probably due to the perceived urgency of the threat. Even when this linkage has been recognized, however, there is still a major gap in implementation.

**2. *While law enforcement is critical, pursuing top-down – particularly heavily militarized – enforcement approaches without community support is often ineffective, raises human rights concerns, and may make cooperative conservation approaches difficult and unlikely to succeed.***

Effective law enforcement that imposes meaningful penalties for breaking legitimate rules around use and trade of wildlife is essential. Over the past few years, law enforcement efforts against ITW have intensified, and there has been a move toward use of militarized weapons, training and tactics and strengthened sanctions. However, there have been a number of cases where the ramping up of actions against ITW has led to harsh and unjust treatment of IPLCs and/or potential human rights abuses. Those that have received media attention include the anti-poaching initiative Operation Tokomeza in Tanzania in 2013 (Makoye, 2014), treatment of indigenous Baka people in Cameroon (Survival International, 2014), and shootings of local villagers as suspected poachers in Kaziranga National Park in India (Rowlatt, 2017). Such treatment may not only fail to address the real drivers behind poaching, but can also contribute to alienating IPLCs and even increase their support for poaching.

In many contexts IPLCs have long histories of disenfranchisement from conservation efforts. Hunting wildlife (as well as fishing and use of plants) is often traditional and deeply culturally and socially embedded, and there are often conflicts between customary practice and conservation laws. Loss of land for conservation and restrictions on customary use of wild animals and plants, if enforced, may be perceived as illegitimate, and can cause anger and resentment and drive some people to support ITW.

The appropriate targeting of punitive actions is important, and focusing law enforcement efforts on those involved in trafficking further along in the value chain is more likely to produce the desired reduction in ITW. For IPLCs, heavy fines and penalties for poaching on individual community members may result in the need for scarce land or other assets to be sold, and imprisonment can deprive an entire family of the primary income earner, plunging people into a downward spiral of increasing poverty and further increasing reliance on returns from ITW. Illegal activity can be exacerbated by anger and resentment against conservation authorities – particularly when IPLCs see corruption among enforcement agents and lack of enforcement against powerful criminal interests, and this can stymie more cooperative efforts.

**3. *Effective enforcement needs to target real threats and provide timely, reliable support for community interests***

Law enforcement against ITW is often insufficient or poorly targeted at “low hanging fruit”. While IPLCs are sometimes viewed as “the problem” or the perpetrators of ITW, members of these communities are often struggling to meet basic subsistence needs and receive tiny

amounts of money for poaching wildlife for international ITW relative to their market value. They frequently have little information on the scale and damage caused by the trade. However, they are a “soft target” for law enforcement against ITW and are often targeted, while more powerful players – who are more difficult and dangerous to control – are untouched and continue to remove much higher value wild products (including timber) without prosecution.

Law enforcement needs to provide effective and timely backup to communities and defend their interests and resources against illegal use (from within or outside the community), particularly when community members attempting to do this themselves would raise unacceptable risks. Failure to provide reliable backup undermines the commitment of communities to cooperate with conservation and enforcement authorities in combating ITW.

Strong relationships and coordination with effective and responsive arresting authorities are therefore essential, but must be built on trust, reciprocity, respect for traditional authority, and developing shared, co-created solutions rather than simply imposing rules from outside.

#### **4. Community support can be critical for effective enforcement against ITW**

IPLCs frequently have outstanding skills and knowledge about wildlife, due to their day-to-day proximity, that equip them well to take part either in ITW or conservation. It is therefore crucial that they are supportive of enforcement efforts. In some cases they themselves have effectively tackled poaching and ITW – particularly where the poachers are from the community itself and they can effectively apply social sanctions against them. However, where poachers are armed and organized outsiders, it is unrealistic to expect unarmed community members to tackle them single-handedly. They can, however, be the critical “eyes and ears” of state- or private-led enforcement efforts. Effective enforcement relies on good intelligence – and typically communities are in the best place to know what is happening on the ground, including the movements and activities of poachers. However, the risks they are exposed to must be clearly understood, properly rewarded and actively mitigated against (Wilkie *et al.*, 2016). For example, a recent review of the Mangalane Community Scouts Project in Sabie Game Park, South Africa, highlighted that including young men from local communities in law enforcement was not sufficient to effectively deter poaching, and had the potential to put them at risk of being victims of violence (Massé *et al.*, 2017). The authors suggest that any strategy to include local communities in law enforcement must be part of a broader shift to developing inclusive wildlife economies.

#### **5. Communities need realistic incentives to engage constructively with law enforcement authorities and support conservation**

While these final three lessons reflect insights from the CWM literature, they are worth restating in the context of ITW, where they may be lost in an over-emphasis on coercive enforcement. Involvement in ITW can be lucrative, so IPLCs need strong incentives (financial or non-financial) to protect wildlife and not get involved themselves in poaching and trafficking. Thus, the net benefits (benefits such as income from tourism minus costs such as human-wildlife conflict) flowing to individuals in communities as a result of wildlife protection must be greater than the net benefits to them of engaging in ITW (benefits such as income from selling poached ivory minus the costs such as the risk of fines and prison sentences associated with enforcement).

Engaging communities in a meaningful way needs to go well beyond consultation or co-management “on paper”. IPLCs need to be empowered, with a strengthened voice, rights and

ownership or stewardship over wildlife. Where communities have a collective sense of ownership over their wildlife and view poaching as stealing from them, they are highly motivated to help combat it.

Most importantly, what is considered a cost and what a benefit needs to be determined by IPLCs themselves. Further, who bears the cost and who gets the benefits, at both the individual and community level, needs to be understood and managed appropriately in order to get the equation right.

Trust in the police and the legal system, recognition of wildlife laws as legitimate and fair and guaranteed personal security, are critical in motivating people to provide the information and intelligence that is key for effective law enforcement against ITW.

#### **6. Local solutions are better than externally imposed ones**

Interventions against ITW are more likely to be effective when they respond to self-defined IPLC priorities, needs and values, rather than being externally designed by people from outside the community assuming or imposing values or perceptions of community needs. Involving communities in defining the responses to ITW – not just engendering a culture of passive reliance on an externally provided financial benefit – helps to ensure that interventions (whether focused on law enforcement, support to local livelihoods or other strategies) are responsive to the local context and culturally appropriate. Interventions against ITW can help communities reach their own goals (e.g. security, livestock protection, food security, resource management, maintaining culture and traditional knowledge) but understanding these priorities requires trust to be gained through seeking input and listening to communities at every stage of planning and implementation.

A particular insight from the ITW context is that the “theories of change” or beliefs about cause and effect held by community members and project designers/implementers may be highly divergent. While project designers and implementers work from an implicit or explicit theory of change with regard to how efforts to engage communities will reduce ITW, experience from IUCN’s FLoD work in Kenya has shown that this does not always align well with the underlying theories of change of the communities with which they are working. These departures can go a long way to explaining failures in implementation. Where communities are involved from the start in designing and planning interventions to combat ITW the prospects for success should be greatly improved.

#### **7. Community engagement is a long-term process**

Long-term relationships between project implementers and local people, based on shared objectives, trust and reciprocity, are key to success. Community engagement should be seen as a long-term process, not something that can easily be achieved within the typical 2-5 year timeframe of most interventions.

### **2.3 Lessons learned or just re-stated?**

The recognition that conserving wildlife is best done with the support and active engagement of the communities living with wildlife is the foundation of decades of efforts on CWM. However, the response to the recent poaching crisis in Africa and elsewhere has involved, in many places, a retrenchment and subordination of hard-won arguments in favour of community-based approaches, to a resurgence of top-down protectionist approaches that emphasize fences and fines, guns and boots.

This shift to a preoccupation with enforcement (and particularly state-led, top-down enforcement) overlooks a crucial element of success in combating ITW. While the

extensive literature on CWM places little emphasis on the role of external enforcement authorities, in the current context of ITW – with sky-high prices, heavily armed gangs, and involvement of organized criminal syndicates – effective state-led enforcement is indeed essential, but largely inadequate. However, wherever communities are living near wildlife, their support for and cooperation with enforcement authorities is likely to have a major impact on the effectiveness of these enforcement efforts. Local people are best placed to provide critical intelligence on who is poaching and where. Recognizing that community support for conservation and conservation authorities can be essential leads to the question of what conditions are likely to create and enable that support. Here, the CWM literature provides clear, well-tested and consistent lessons.

Few of the lessons learned presented here from the decades of experience on community conservation represent anything new. Conclusions from the literature of the 1990s (Kiss, 1990; Steiner and Rihoy, 1995) are just as relevant today as they were then. What is evident, however, is that these very lessons have, for the most part, not been acted upon.

An enduring challenge therefore is not simply to draw out more and more lessons and best practices, but to find ways to ensure they are taken into account in the design and implementation of new policies and projects. Nelson (2010) notes that, at least in an African context, endless technical evidence can be (and has been) produced on what works, what doesn't, and why – but this will never counter the powerful, private interests which underpin the way policy decisions are made in the real world. Additionally, Nelson (2010) suggests that real reforms are only likely to happen when communities are able to demand rights and hold policymakers to account. For this they need to be organized and mobilized, and have their voices heard and respected. And they need democratic mechanisms for representation and accountability.

Again, nothing is new here – Strumm (1994) made the same point over 20 years ago noting: “devolution of rights must go hand in hand with increasing democratization of power and with education that builds awareness and political skills.” The process of democratization is a long and complex one, but Nelson *et al.* (2016) report that in Africa a new cadre of civil society organizations are starting to play a leadership role in bringing about necessary reforms.

In the international arena, also, there is increasing recognition of the need for bringing community voices directly into wildlife policy-making processes. In the next part of this report we review the current entry points and mechanisms within biodiversity-related international agreements and policy forums.

## **PART THREE: REVIEW OF “ENTRY POINTS” FOR IPLCS IN INTERNATIONAL DECISION-MAKING**

### **3.1 Introduction**

Indigenous Peoples and Local Communities (IPLCs) have particular cultural, social and economic links with wildlife, and the conservation and use of wildlife. These links are complex and multiple. They may be the holders of traditional knowledge; nature and wildlife may be of central significance in their spiritual and cultural lives; and their livelihood and economic strategies may be particularly strongly based on use and management of wildlife. IPLCs are likely to be especially affected by wildlife conservation decision-making, and the successful implementation of conservation policy and decisions may be particularly reliant on their active engagement. The legitimacy and equity of wildlife conservation decisions will be improved by providing meaningful opportunities for the engagement and participation of IPLCs in discussions and decision-making. There is, therefore, an increasing recognition that IPLCs are a particularly important stakeholder to be involved in wildlife-related deliberations and decision-making.

This section reviews the existing and developing mechanisms for the participation of IPLCs in the deliberations and decision-making of various governing bodies of international policymaking mechanisms of particular relevance to wildlife management and conservation, in particular:

- The Convention on Biological Diversity (CBD)
- The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- The Convention on Migratory Species (CMS)
- The UN Environment Assembly (UNEA)
- The Inter-governmental panel on Biodiversity and Ecosystem Services (IPBES).

It should be noted, however, that many other multilateral environmental agreements (MEAs) and intergovernmental processes are relevant to wildlife conservation, and some have recognized the role of IPLCs – a comprehensive review of all of these is beyond the scope of this study.

As well as characterizing current entry points, this overview aims to draw insights from experience on their effectiveness in practice, with attention to any key strengths or constraints of the various mechanisms. This review is based on desk research supplemented with interviews with and email input from IPLC organizations that have engaged, or attempted to engage, with these policy bodies and with staff of relevant Secretariats (see Appendix II).

### **3.2 Review of mechanisms for IPLC engagement in key conservation policy bodies**

#### ***3.2.1. The Convention on Biological Diversity***

The CBD (1992) is an international treaty for the conservation and sustainable use of biodiversity, and equitable sharing of the use of genetic resources. The Convention was opened for signature in 1992 at the United Nations Conference on Environment and

Development in Rio de Janeiro, also known as the Earth Summit. Today, 196 countries have ratified the Convention, representing almost universal membership.

Participation of IPLCs in the CBD is underpinned by key references in the Convention text itself<sup>19</sup>. The CBD Preamble references "the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components." It further recognizes the need for full participation of women at every level. Article 8(j) establishes an obligation to "[...] respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities [...] and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices [...]"; and Article 10(c) to "[p]rotect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements." Articles 17 and 18 also make clear that indigenous knowledge and practices should be included in measures for information exchange and scientific/technical cooperation. It is important to note the Convention does not make any formal provision for IPLC participation or input into international decision-making – it remains the role of states to carry these obligations out at the national level. In practice, however, IPLCs have mobilized around the CBD to influence it, pushing the boundaries of the formal mechanisms envisaged in the treaty text (Clavero, 2005).

While Articles 8(j) and 10(c) are key focal areas for engagement of IPLCs in the working of the Convention, IPLC organizations engage across a wide range of issues addressed by the CBD, from access and benefit-sharing to bushmeat to protected areas and the ecosystem approach.

Formally, there are number of routes by which IPLC groups can participate in the workings of the CBD:

- i. IPLCs can participate in the Working Group on Article 8(j) established under the CBD. This Working Group has an innovative structure for the UN system, with an indigenous co-Chair. This working group is open to all Parties and indigenous peoples and local communities' representatives play a full and active role in its work. Traditional knowledge is considered a "cross-cutting" issue that affects many aspects of biological diversity, so it will continue to be addressed by the Conference of the Parties (CoP) and by other working groups (WGs) as well. A fundamental principle of the programme of work for Article 8(j) has been the participation of indigenous and local communities in the work of the Convention and its bodies. Here IPLCs participate on equal terms in discussions, rather than relying on influencing Party decisions. Various measures have been established to foster strong IPLC participation in this group, including the indigenous co-Chair and an IPLC bureau. Note, however, all outputs from the WG still need to go to CoP where they are subject to Party-only negotiations towards consensus.
- ii. The CBD regularly calls for submissions from Parties and other stakeholders, and IPLC organizations or networks may develop inputs into these processes. Such inputs can help frame discussions, shape the agenda for CoP negotiations, highlight issues and illustrate IPLC perspectives on them, propose specific

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<sup>19</sup> <https://www.cbd.int/convention/text/>

directions for policy, and bring examples and case studies to substantiate a position.

- iii. IPLC observers can register as IPLCs to participate in CBD meetings, and seek to make interventions from the floor. Participation at CoPs or other meetings is also an opportunity to interact with national delegations, seek to influence their thinking, gain their support, and organise and participate in side-events.
- iv. IPLC representatives may be appointed to be part of national delegations, but this is very rare.
- v. IPLC observers may seek and may be successful in being appointed to Working Groups or ad hoc Technical Advisory Groups established on specific issues.

Support to these processes is provided by the CBD Secretariat. The Secretariat staff is specifically mandated to facilitate and support the engagement of IPLCs in CBD deliberations. Support ranges from the provision of web-based information and tools, such as the Traditional Knowledge Information Portal, to regional consultation and capacity building efforts, to the mobilization of financial resources to enable IPLC participation. Importantly, a voluntary fund has been established, managed by the Secretariat, to support participation of IPLCs in CBD meetings.

Processes that have developed in a more informal sense that enable IPLC participation in international deliberations include:

- i. The workings of the International Indigenous Forum on Biodiversity (IIFB). This represents a network of IPLC organizations, which shares information, organizes meetings in the lead up to CoPs or subsidiary body meetings, and may develop unified policy positions and inputs. The group is supported by the Convention Secretariat's 8(j) team, for instance through the provision of practical support such as meeting rooms, computers and internet access during meetings. IIFB also do their own fundraising to support the participation of IPLCs at relevant CBD meetings.
- ii. The CBD Alliance. This is a network of civil society organizations that have a common interest in the CBD (i.e. broader than IPLCs), aiming to enhance cooperation and general understanding, and to be a bridge between those involved in biodiversity work on the ground and those who participate in CBD processes. The Alliance runs a moderated listserv, and has a level of formal status – the CBD Alliance and the Secretariat of the CBD have signed a Memorandum of Understanding (MoU) in view of their longstanding relations and cooperation over a number of years.
- iii. The Indigenous Women's Biodiversity Network (IWBN). This network promotes the active participation of indigenous women in international environmental deliberations, particularly the CBD, and has developed regional networks to facilitate effective organization and participation at this level.
- iv. Side-events organized by the Secretariat's 8(j) team, Parties and IPLC organizations during CoPs or other meetings. These events are not part of the formal decision-making process, but may significantly shape the attitudes and understanding of Parties, and thereby formal outcomes.
- v. Efforts to raise funds from supportive organizations to enable IPLC participation. For example, the IWBN and its Latin American and Caribbean network work with a number of supportive NGOs who, according to availability, provide funds to enable participation.

- vi. Forming relationships with national delegations may allow IPLCs to influence their thinking and positions.

Robust participation of IPLCs has contributed to the taking of many decisions relevant to community involvement in wildlife conservation, management and sustainable use. For example, the plan of action on customary sustainable use of biological diversity has identified some key actions<sup>20</sup> which Parties may take to realize its implementation, including: (a) incorporating customary sustainable use practices or policies into national biodiversity strategies and action plans, with the full and effective participation of indigenous and local communities; and (b) promoting and strengthening community-based initiatives and joint activities that support and contribute to the implementation of Article 10(c). The Bushmeat Liaison Group, established to address widespread overexploitation of wild animal species for food, has developed recommendations<sup>21</sup> that strongly encourage the full and effective participation of IPLCs, their access, rights and accountability, as well as the inclusion of their traditional knowledge in the sustainable use of wildlife resources (e.g. paragraphs 1(c), 3, 4(b) & (g), 6, 8(d), 15). The CBD has also called for (and the Secretariat leads) the Collaborative Partnership on Wildlife<sup>22</sup>, a platform of international organizations focused on sustainable wildlife management including IIFB, which incorporates IPLC dimensions of wildlife management in its work priorities.

At the level of implementation at national level, IPLCs can provide input into the development of the National Biodiversity Strategies and Action Plans (NBSAPs) that Parties develop to implement the CBD. There is official guidance calling on Parties to do this (see Decisions X/2<sup>23</sup>, X/5<sup>24</sup>). However, in practice this has been very weak to date, with few Parties ensuring meaningful participation of IPLCs in this process.

In general, IPLC engagement in the CBD appears to be robust and offers a real possibility of influencing the CBD's agenda and negotiations. It is seen as more inclusive than many other Conventions. Two elements that appear particularly crucial in enabling meaningful IPLC input are:

- Strong Secretariat support. There are two staff members in the CBD Secretariat with the explicit mandate to support IPLC input. This makes a major difference in practice – flagging opportunities to input, providing support for meetings, and of course the establishment of a financing mechanism to support their active participation. If IPLCs cannot find funding to attend meetings, they will not be able to influence discussions.
- The presence of a strong IPLC network – the IIFB – that engages with the Convention. This enables effective information sharing and a strong collective voice, increasing the ability of small, local organizations to influence the agenda.

However, the key challenge appears to be that despite positive language and practice at the international level, this is not being translated into meaningful engagement and inclusion of IPLCs at the national level, when it comes to implementation of CBD commitments through NBSAPs.

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<sup>20</sup> <https://www.cbd.int/decision/cop/default.shtml?id=13375> (Annex)

<sup>21</sup> <https://www.cbd.int/decision/cop/default.shtml?id=13186>

<sup>22</sup> <http://www.fao.org/forestry/wildlife-partnership/en/>

<sup>23</sup> <https://www.cbd.int/decision/cop/default.shtml?id=12268>

<sup>24</sup> <https://www.cbd.int/decision/cop/default.shtml?id=12271>

### *3.2.2. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*

Historically, CITES has had no clear mechanisms to support IPLC participation in its deliberations and decision-making, although moves to develop these are now under way.

There are some official channels by which IPLCs may be able to provide input:

- i. National NGOs representing community voices can register as Observers for meetings of the CoP, the Standing Committee (SC) and the Animals and Plants Committees. In some cases they may require the approval of their government, but the specific conditions of their participation are governed by the Rules of Procedure of each body, which vary. Observers are free to seek the floor and provide comments when invited by the Chair. However, there is no special status accorded to any observers by virtue of representing IPLC voices, and typically there are very few IPLC Observers present and participating in CITES CoPs. There are no established structures for IPLCs to network, share information on the significance and impact of upcoming CITES proposals, prepare for meetings or establish common positioning, and no dedicated Secretariat support or funding sources to enable participation.
- ii. IPLC Observers, if present, may request and be granted by the Chair the opportunity to participate formally in Working Groups established by the SC or the CoP. Working Groups may be established during CoPs to work on issues during the CoP (e.g. to develop text of a Resolution or Decision that returns to plenary later in the CoP), or may be established to work intersessionally, reporting to a later meeting. However, note that the Chair in some circumstances restricts the participation of observers in WGs, and/or that many fewer observers may be appointed than seek to participate.
- iii. Organizations representing IPLCs and individuals from indigenous peoples or local communities have occasionally participated on national delegations to COPs. While this is somewhat rare, they have had opportunities to influence positions. In CoP Committee negotiations and debates, delegates have heard impassioned speeches from community leaders in support of proposals or explaining the negative impacts such proposals could have on local livelihoods, cultures, or rights to make wildlife management decisions.

There is also the potential for input via less formal channels:

- iv. Side events held during meetings: With the advent and rapid expansion of side events as a means for civil society to interact directly with government delegations outside the formal sessions in CITES, the voice of IPLCs may have been increasing over the past two decades in CITES. However, IPLCs' attendance at CoPs and participation in side-events is typically extremely low. As an exceptional example, through their carefully orchestrated and well-organized efforts local communities put their voices front and centre throughout the venue at COP10 in Harare, Zimbabwe in 1997. Many believe these efforts were instrumental in helping divided delegations to overcome their impasse over decisions on African elephant. At COP17 in 2016, with the support of the SADC Transfrontier Conservation Area (TFCA) Network, many local community representatives from the region attended and actively participated in a series of well-organized side events on relevant trade issues.

In addition to the above entry points for IPLC participation, it should be noted that in a number of ways CITES has addressed the relevance of CITES decisions to IPLCs. CITES has passed several decisions and resolutions on "CITES and Livelihoods", which recognize the

potential impacts on livelihoods of rural communities of CITES-listing decisions but also the opportunities of sustainable income and resources provision through long-term species conservation strategies. An intersessional Working Group on CITES and Livelihoods was established at SC 57 in 2008 and its work was supported by the Secretariat until its mandate ended at CoP 17 in 2016. The Working Group produced technical guidance and tools<sup>25</sup> aimed at seeking to assess impacts on the livelihoods of rural communities of the implementation of CITES listing decisions, minimize negative impacts and enhance positive ones. A series of CoP17 decisions<sup>26</sup> promote continued support for the dissemination of lessons learned from successful livelihood experiences and a variety of other tools to promote the use of the guidance provided. However, none of these decisions provide for any clear mechanisms or opportunities for IPLC organizations to actively participate in deliberations.

There are no established networks of IPLCs that participate in CITES. One obstacle to this is that the species under consideration at each CoP varies, and therefore decisions at each meeting may affect different groups' interests. This may make forming a strong and stable network for promoting IPLC voices in CITES challenging.

In reality, there are high practical barriers to IPLC participation and no formally or informally established support mechanisms for input, as a result of which IPLC involvement in CITES deliberations is – with notable rare exceptions – very minimal.

However, this situation may now be poised to change. At CoP17 in 2016, four African countries pursued an opportunity for rural communities to have an active say in formal decision-making processes in CITES by proposing the establishment of a new CITES Rural Communities Committee, aimed at enabling increased participation of these communities in CITES deliberations<sup>27</sup>. This proposal was not accepted by the Parties, but there was broad support for the underlying intent, and a series of decisions were adopted to establish a Working Group under the CITES Standing Committee to “consider how to effectively engage rural communities and to present findings and recommendations to the Standing Committee [...]”<sup>28</sup> – a critical first step for rural communities to exercise their voice and actively engage in formal CITES processes. The Working Group, co-chaired by Namibia and Ethiopia, is scheduled to have its first meeting at the 69<sup>th</sup> meeting of the CITES Standing Committee at the end of November 2017. Communities are now planning and organizing for their representation and active participation there.

### *3.2.3 The Convention on Migratory Species*

To date there are no formal channels enabling IPLCs specifically to contribute to decision-making in CMS processes. However, there are nascent attempts to engage community involvement more directly at the field level for the CMS's Central Asian Mammal Initiative (CAMI).

As is the case under CITES, IPLC organizations or NGOs representing the interests of IPLCs may:

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<sup>25</sup> <https://cites.org/eng/prog/livelihoods>

<sup>26</sup> Decisions 17.36 - 17.40; see <https://cites.org/eng/dec/index.php>

<sup>27</sup> <https://cites.org/sites/default/files/E-CoP17-13.pdf>

<sup>28</sup> <https://cites.org/eng/dec/valid17/81821>

- i. Participate as registered Observers in meetings of the CoP, the Standing Committee or Scientific Council and provide comments upon the invitation of the Chairs of the meetings.
- ii. Participate in Working Groups, on invitation of the Chair.
- iii. Participate in national delegations if invited by their government.

In practice, participation of IPLCs via these channels is minimal, and there are no formally dedicated support mechanisms to facilitate this input. However, efforts are under way to raise the profile of IPLCs in the work of the Convention, and this issue is on the agenda of the 12<sup>th</sup> meeting of the CoP (Manila, 23-28 October 2017). Draft decisions on community participation and livelihoods called for compilation of best practice case studies for involving local communities in the conservation of CMS-listed species, and facilitating sharing of these best practices (see COP12/Doc.24.4.8<sup>29</sup>).

Under CAMI, some species action plans include reference to engaging IPLCs in their implementation. For instance, the Argali Single Species Action Plan<sup>30</sup> states the intention to involve local communities formally in the management and sustainable use of argali (a wild sheep) and their habitat and promote long-term assignment of management rights to communities. In practice, the first CAMI meeting in Bishkek included the participation of some local community representatives. It is generally up to designated species focal points to collect the views and voices of local communities engaged in conservation and make their wants and needs heard (T. Rosen, pers. comm.).

#### **3.2.4. United Nations Environment Assembly**

Unlike the above three multilateral environmental agreements, the United Nations Environment Assembly (UNEA) was established in 2012 as the main governing body of United Nations Environment Programme (UNEP, sometimes now known as UN Environment). UNEA has universal membership i.e. all United Nations member States. It is the leading global decision-making body on the environment: it meets biennially to set the global environmental agenda; review, debate and develop policy to address environmental challenges; guide the work of UNEP; and enable multi-stakeholder engagement in developing environmental solutions. It has met twice to date, in June 2014 and May 2016, and the third session is being held on an exceptional basis in December 2017.

UNEA has a very strong mandate to ensure the active participation of all relevant stakeholders. “Indigenous peoples and their communities” are recognized as one of the nine “Major Groups” (MGs) identified in Agenda 21<sup>31</sup> (Chapters 23- 32) as adopted by the UN General Assembly (A/Res/47/190, March 16, 1993<sup>32</sup>), alongside Business and Industry, Children and Youth, Farmers, Local Government, NGOs, Scientific and Technological Community, Women, and Workers and Trade Unions. Note that in this context it is Indigenous Peoples rather than the broader category of Indigenous Peoples and Local Communities that is viewed as a key stakeholder. UNEP has a dedicated Major Groups and

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<sup>30</sup> <http://www.cms.int/en/document/international-single-species-action-plan-conservation-argali-ovis-ammon-0>

<sup>31</sup> <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

<sup>32</sup> <http://www.un.org/documents/ga/res/47/a47r190.htm>

Stakeholders Branch to facilitate input. Engagement is guided by the *Guidelines for Participation of Major Groups and Stakeholders in Policy Design at UNEP*<sup>33</sup>.

There are a range of formal channels to enable input of Indigenous people and other MGs:

- i. The Major Groups Facilitating Committee (MGFC). Engagement of the MGs in UNEP and UNEA is enhanced by a Major Groups Facilitating Committee that provides input from their IP constituents to UNEP, and provides guidance on and coordinates MG engagement. Each MG (including IPs) selects two representatives to sit on this committee.
- ii. Regional consultations. At the regional level, Major Groups and other Stakeholders can influence UNEP policy-making and decision-making processes through the Regional Consultative Meetings held annually in the six UNEP regions. For instance, in 2017 the African regional consultation was held on the margins of the 16th session of the African Ministers Conference of the Environment in Cairo, and attracted considerable civil society interest.
- iii. MGs are invited to provide their input into the preparatory process for UNEA, including agenda setting. The UNEP Civil Society Unit runs a listserv of accredited organizations and supports their input into the preparatory process through e.g. holding online events (workshops and webinars), and alerting them to opportunities to make submissions on particular agenda items and even topics for the Ministerial Declaration (L. Zobel, pers. comm.). Typically IPs face more capacity issues than other MGs.
- iv. A Global Major Groups and Stakeholders Forum (GMGSF) is held in advance of each UNEA, funded by UNEP and coordinated by UNEP and the MGFC. This forum is the main entry point for Major Groups' participation at governance level, enabling them to articulate perspectives, agree positions, identify and explore key issues, highlight their own work and contributions, and plan and collaborate.
- v. Accredited Indigenous peoples representatives can participate in discussions at UNEA itself, and in meetings of the Committee of Permanent Representatives, which undertakes governance related work in-between the biennial UNEA meetings. At UNEA they can participate in discussions in Plenary and the Committee of the Whole, and there is a high-level Multi Stakeholder Dialogue held during the two-day high-level segment of UNEA. However, gaining the opportunity to be heard is difficult. There is only a single seat for the Indigenous People group in these meetings (as for other Major Groups), and only a single Major Group intervention is likely to be heard (if any) on specific agenda items. So indigenous peoples (IP) organizations need to raise their issues within MG coordination processes to ensure that their concerns are reflected in MG interventions on specific agenda items.

In practice, staff from the UNEP Civil Society Unit will meet the chair and UNEA president to introduce them to civil society representatives, and when civil society has prepared an intervention on an agenda item, will seek to ensure the Chair is aware of this. Behind the scenes, IPs can play an important role in working with UNEP technical staff and Member States to develop appropriate wording and liaise between different groups.

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<sup>33</sup> <http://wedocs.unep.org/handle/20.500.11822/13246>

UNEA has a clear institutional and policy commitment to facilitating engagement of Major Stakeholder Groups including Indigenous People, and provides resources and staff to enable this. However, there remain challenges. There are only 10-11 Indigenous Peoples' organizations accredited for UNEA – and covering a wide range of often highly complex issues is very challenging for a small group of people. Those individuals who have developed the expertise to negotiate sophisticated and complex policy interfaces are often not those with specialist knowledge on particular topics – but funding and capacity are generally inadequate to bring the full range of expertise to meetings (J. Cariño, pers. comm.). Stakeholders (including IPs) are often not fully engaged early enough in the cycle to be able to make a strong contribution at UNEA. UNEA is the end point of a two-year cycle of work, and civil society (including IPs) need to be engaged constructively throughout this cycle if they are to provide significant inputs. Finally, but crucially, a key current issue is sustained decreases in funding of the Civil Society Unit in UNEP, which has in recent years been reduced from four-five staff members to only two, including the loss of a half-time dedicated focal point for Indigenous People.

### *3.2.5. The Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES)*

IPBES is an intergovernmental body established to undertake assessments on the status and trends of biodiversity and ecosystem services at global and regional scales. IPBES also undertakes global thematic assessments e.g. on pollination and pollinators. Besides undertaking assessments IPBES has other deliverables including improving the state of knowledge of biodiversity and ecosystem services, capacity building where needed, and developing a range of policy tools to help improve the status of biodiversity and ecosystem services. IPBES operates under the auspices of four United Nations entities: UNEP, UNESCO, FAO and UNDP, and is administered by UNEP.

From its inception, IPBES has explicitly sought to integrate indigenous and local knowledge (ILK) in its assessments. Its operating principles provide for a commitment to "recognize and respect the contribution of ILK to the conservation and sustainable use of biodiversity and ecosystems"<sup>34</sup>.

Increasing opportunities for ILK holders to participate in IPBES is key to achieve this objective, and there are several formal channels for ILK holders, ILK experts and experts on ILK to participate in IPBES deliverables.

- i. The IPBES ILK Task Force. This task force was established with the broad mandate of supporting the integration of ILK into IPBES assessments. A key product from the group, now adopted by the IPBES Plenary, is IPBES guidance on Procedures for working with indigenous and local knowledge systems<sup>35</sup>.
- ii. The Task Force is developing a participatory mechanism through which ILK can be brought to IPBES discussions via ILK holders, ILK experts and experts on ILK<sup>36</sup>. This should be operational by early 2018.

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[https://www.ipbes.net/sites/default/files/downloads/Functions%20operating%20principles%20and%20institutional%20arrangements%20of%20IPBES\\_2012.pdf](https://www.ipbes.net/sites/default/files/downloads/Functions%20operating%20principles%20and%20institutional%20arrangements%20of%20IPBES_2012.pdf)

<sup>35</sup> See Annex, [https://www.ipbes.net/sites/default/files/downloads/IPBES-4-7\\_EN.pdf](https://www.ipbes.net/sites/default/files/downloads/IPBES-4-7_EN.pdf)

<sup>36</sup> <https://www.ipbes.net/sites/default/files/downloads/pdf/ipbes-5-4-en.pdf>

- iii. Dialogue workshops of ILK holders and experts to gather ILK relevant to specific assessments. Within the conduct of assessments, processes have been established to specifically gather ILK. For example, in the IPBES Pollinators Assessment and in regional IPBES assessments, dialogue processes were held with ILK holders to gather and document ILK (Lyver *et al.*, 2015).
- iv. Participation of ILK holders within expert groups established by IPBES. Expert groups are established by IPBES to scope or carry out specific assessments. This is done through calls for governments or other stakeholders to nominate experts, and IPBES has requested governments to include ILK holders and experts in their nominations.
- v. Accredited IPLC organizations can participate as observers in IPBES Plenary meetings, in accordance with the Rules of Procedure<sup>37</sup>, and may be able to provide input into decisions that guide the work of IPBES. Observers can make interventions from the floor, but have no formal role in decision-making.

IPLCs have developed some additional mechanisms to support the formal process:

- i. Similar to IIFB in the CBD, IPLCs have developed an organized caucus to engage with IPBES, called the International Indigenous Forum on Biodiversity and Ecosystem Services (IIF BES), to interact and participate at IPBES Plenary meetings.
- ii. IPLC organizations engaged in IPBES and other biodiversity-related knowledge processes have recently established a new initiative: “Centres of Distinction on Indigenous and Local Knowledge”. This initiative is composed of organizations implementing programmes on traditional knowledge from various regions, and seeks to improve IPLC involvement in IPBES, *inter alia* via the Participatory Mechanism (SwedBio 2016, J. Cariño and P. Bridgewater, *pers. comm.*).

In summary, IPBES has a strong institutional commitment to integrating the input of IPLCs in its assessments, and has adopted a number of supportive mechanisms to enable this input. The underlying organized network of ILK holders to ensure this happens effectively is still in its infancy.

### 3.3 Enabling and disabling factors for IPLC engagement at international level

Given the growing recognition in relevant policy forums that IPLCs are particularly important stakeholders for the conservation of wildlife, there is a strong argument that in all relevant conventions there should be clear and effective entry points that enable substantive IPLC voices and participation.

Currently, however, the opportunities for IPLC input are highly variable, ranging from almost non-existent to officially recognized, supported and funded. There is a clear divergence between the older “pre-Rio” Conventions, CITES and CMS, which contain no official recognition of the role of IPLCs and no substantive means for their engagement, and the more recent CBD, UNEA and IPBES, all of which explicitly recognize the importance of IPLCs (IPs in the case of UNEA) and have developed mechanisms to enable this. Importantly, both CITES and CMS have recently signalled the desire to improve the

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<sup>37</sup> [http://www.ipbes.net/sites/default/files/downloads/IPBES-4-17\\_EN.pdf](http://www.ipbes.net/sites/default/files/downloads/IPBES-4-17_EN.pdf)

participation of IPLCs in their processes, and these conventions can learn from experiences in other settings to ensure such representation is effective and substantive.

From this review, a set of factors emerge as key enabling factors to allow IPLCs to engage meaningfully and effectively in these agreements:

- i. Formal recognition in official text of IPLC concerns, participation, and/or relevance. For instance, articles 8(j) and 10(c) in the CBD have underpinned the evolution of a variety of structures to enable IPLC input in that forum. The official recognition in IPBES of the significance and importance of ILK has necessitated the development of guidance and processes for ensuring its integration. The recognition in key UN documents such as the Rio Declaration and Agenda 21 of indigenous people as a particularly important group to be included in environmental decision-making has helped shaped UNEP's policy and processes on their engagement in UNEA. CITES and the CMS are much older conventions, shaped at a time when ILK was not recognized or respected as legitimate knowledge for conservation, and IPLCs were typically largely ignored in the development of conservation strategies.
- ii. Dedicated Secretariat support to advise, assist and support IPLC participation. One critical role is ensuring IPLC networks are aware of opportunities to input – Secretariat staff often send out such information to a network of IPLCs and advise them when and how to input. They may provide important practical support to enable preparation and coordination – for example the CBD provides meeting rooms, and at UNEA UNEP organizes an entire civil society forum over several days to enable effective engagement. Secretariat staff supporting IPLCs also have an important “inward-facing” role – to ensure others in their broader organizations are aware of the importance of IPLC engagement and provide such opportunities. Some provide key funding – see below. Having such dedicated, mandated Secretariat support is widely seen as a critical element enabling successful engagement.
- iii. IPLC networking and coordination. Single voices of individual IPLC organizations carry little weight, and single organizations will struggle to understand complex policy processes across many different issues and fora. Strong networking of IPLCs enables sharing of information, building of expertise, development of shared positioning, and coordination of advocacy efforts. The IIFB network that has evolved in the CBD is particularly notable as a well-developed and effective network. In IPBES, the recognition of the importance of such a network to support IPLC participation led to the recent development of “Centres of Distinction on Indigenous and Local Knowledge (ILK)”.
- iv. Funding. UNEP funds IP organizations to participate in UNEA itself, and likewise in IPBES core funding has enabled some workshops to gather ILK as part of assessments. The CBD has established a Voluntary Fund, contributed to by Parties, to enable IPLC participation in meetings. Supportive NGOs and other organizations also provide funding. CITES/CMS do not have any such funding mechanisms to enable participation.

However, in all arenas IPLCs face substantial challenges in engaging in a meaningful and effective way. In some fora all the above enabling factors are missing, which of course undermines the potential for participation. However, even in those fora where there are clear and supported entry points for IPLCs, there are significant challenges. The most important identified here are:

- i. Funding and inadequate numbers of representatives. IPLC groups are typically politically marginalized and command inadequate financial resources to enable

significant participation in international conservation processes. Despite the existence of a number of positive examples, even in UNEP the amount of funding dedicated to supporting civil society input (including to UNEA) has declined very substantially over recent years. In the CBD and IPBES restricted funding means the number of IPLC representatives that can engage is very limited, and it is difficult for this limited pool to physically cover all issues and to have the specialized expertise across all the issues at stake in a single meeting. To be effective, moreover, IPLCs need to be able to contribute throughout the policy cycle – simply turning up at major meetings is inadequate, and often too late, to substantively influence outcomes.

- ii. **Networking/organization.** Notwithstanding the success of IIFB, IPLC groups are not well networked in every region, and links back to regional/national level are sometimes weak. In UNEA, for example, indigenous peoples are not as strong organizationally as some other Major Groups such as women and NGOs (L. Zobel, pers. comm.) This limits the ability of delegates to access experience and technical expertise and to represent a strong and representative position in negotiations.
- iii. **Lack of support from Parties/Member States.** IPLCs are not necessarily supported by their governments, which in every forum retain the sole decision-making power. There may be strong tensions between national government delegation and IPLC positions over issues that raise questions of sovereignty and land rights, for example. National governments may not respect ILK as valid or valuable, instead viewing it as backward or primitive. It is notable that in CITES, in the few cases where it appears IPLC voices have had a strong impact, these groups have had the support of their governments.
- iv. **National implementation and IPLC participation at national level.** Particularly for the CBD, a widespread observation is that the strong and progressive commitments made at international level are not reflected at the level of national implementation. For example, many NBSAPs have been formulated with no IPLC participation and with no recognition of the need for IPLC participation in implementation (M. Rai, pers. comm.). The impact of having one or two IPLC reps attending international meetings will be severely limited if national consultations, preparations and submissions to these international bodies and implementation of the commitments made do not adequately include IPLC voices. There is a major gap still to be bridged between IPLC engagement and influence at international level and its impact on governance on the ground.

## PART FOUR: CONCLUSIONS AND RECOMMENDATIONS

Globally, much use of wildlife remains unsustainable and illegal, and unsustainable use driven by the dynamics of global ITW is a critical current conservation priority. In this report we have drawn out lessons from decades of work on CWM as a response to unsustainable use and other conservation problems and, where possible, highlighted specific lessons for combating ITW from more recent work. In view of the insight that community “voice” is a critical determinant of a policy regime that supports their effective engagement, we have reviewed the opportunities for IPLCs to participate in some key relevant international deliberations and decision-making arenas and the barriers they face. We also frame this whole discussion by calling attention to the body of rights of IPLCs that are now well entrenched in international intergovernmental agreements and policy.

Our lessons and insights are set out in full in summary form below (see Appendix One for more detailed breakdown). They reinforce decades of clear and consistent messages from research on community-based approaches to conservation and wildlife management, while bringing fresh insights into how the new global context of high-value and increasingly militarized ITW shapes the relationship between communities and conservation, particularly in relation to enforcement. They also highlight the persistent failure of national governments and other actors to implement recognized lessons from CWM – most particularly through avoiding the politically challenging devolution of land and resource rights that is essential for successful CWM. We hope that action by UNEA will help overcome this roadblock in the path towards more effective and robust conservation and sustainable use of wildlife.

### Summary conclusions

The key findings are as follows:

#### **1. Lessons from community-based wildlife management are clear, but there has been a chronic failure of implementation**

Best practices in fostering community wildlife management as a means to reduce unsustainable and illegal use and trade of wildlife have emerged consistently and clearly from decades of work, and many are well reflected in government policy commitments. However, there has been a consistent failure to implement key insights, particularly the devolution of rights by national governments to IPLCs to manage and benefit from wildlife conservation and sustainable use.

#### **2. The focus on militarized approaches to combat ITW risks undermining both human rights and conservation effectiveness**

The response to the current ITW crisis has involved, in many places, the resurgence of a top-down protectionist approach emphasizing fences and fines, guns and boots, responding in part to increasing militarization of poaching. However, unless accompanied by strengthened accountability measures, this can lead to – and has led to – human rights abuses, restricted livelihood options, and hardship for IPLCs. These approaches can also backfire in conservation terms – driving disenfranchisement, resentment and anger. They also undermine the potential for collaborative approaches, such as increased IPLC participation in ITW.

### **3. It ain't what you do – it's the way that you do it**

Success in any site-level intervention against unsustainable use and ITW relies critically on the approach adopted and relationships. Local ownership of conservation interventions is an important part of success. Building trust, moving slowly, and allowing the long timescales necessary to develop cooperative relationships and understand community needs and priorities is important. Building on traditional uses, practices, rules and governance institutions can enhance effectiveness where these are perceived as legitimate and equitable by community members. Livelihood options and ways to benefit from wildlife need to be chosen by community members themselves in accordance with their cultural and socio-economic values, and not imposed by external actors. This also applies to enforcement interventions – these will be more effective where they are “co-created”, i.e. where communities have a say in the setting of rules and penalties for breaking them, where traditional authorities are respected, and relations of trust between the enforcement authorities and communities have been built.

### **4. Effective enforcement needs community support; community support needs effective enforcement**

Effective enforcement against ITW and community engagement can – and should – be mutually reinforcing. In any setting, good enforcement relies critically on support from communities, particularly through the provision of intelligence. On the other hand, communities need strong and reliable backup when their interests or resources are threatened, and it would endanger them to combat such threats themselves. Currently, however, enforcement is often poorly targeted and ineffective. It is often focused on communities and individuals who gain only a tiny fraction of the profits from ITW, are battling acute subsistence needs, and who are unaware of the extent or impact of ITW, while “kingpins” or other powerful players go unpunished.

### **5. People need realistic incentives to cooperate in conservation and combating ITW**

Community members need a reason to support and actively engage in conservation, including anti-poaching. Rights and benefits are both important, though each may be inadequate alone. Empowerment of communities to manage their own resources through strengthened land and resource rights can be a strong motivating force. The overall benefits from conservation need to outweigh the costs of conserving it. This is particularly challenging given the high payoffs (to a few) of high-value ITW. Although benefits need not necessarily be financial, where people are facing acute subsistence needs – or where living with wildlife imposes significant costs – financial incentives may be critical. Ways for communities to benefit financially from wildlife include tourism based on viewing or hunting wildlife, harvesting of and trade in non-timber forest products (NTFP), payments for ecosystem services (PES), and wildlife-related employment (e.g. as guards or guides). These different options must be culturally appropriate and self-chosen by local people. CWM is more challenging when land has high agricultural or development potential and/or where wildlife is migratory, difficult to view or monitor, scarce or degraded, or where the use of species is restricted by national/international restrictions.

Elite capture (the inequitable capture of benefits by more powerful individuals) is a constant threat that can undermine the potential engagement of the community as a whole. Communities are made up of individuals with different priorities and motivations, and interventions need to understand these in order to target the right people. Including women as direct beneficiaries and key stewards of natural resources is critical.

So-called “alternative livelihood” initiatives are often deployed as a mechanism to reduce unsustainable and/or illegal use of wildlife by IPLCs. However, the evidence-base for the effectiveness of these initiatives is very limited. Many suffer from poor design, and outcomes can even undermine conservation in the long term.

## **6. An enabling environment must be created**

Individual site-level projects can be very appealing as they promise direct action, but in the long term creating an environment of governance, policy and partnerships that fosters and supports communities to be active participants in conserving wildlife is likely to have far greater impact. CWM needs a supportive governance framework with enabling policy and regulation at local, national and international level, and one that is straightforward for communities to negotiate. National and international policy often restricts rights to use and manage wildlife to such an extent that it leaves little or no economic value for local people, thereby removing their incentive to conserve it. The removal of traditional hunting, gathering or grazing rights sparks resentment and perpetuates illegal behaviour. Far from resulting in non-use, the lack of rights to use wildlife frequently translates in practice into unmanaged, unmonitored and often unsustainable illegal use. Establishing clear, secure and enforceable rights (including land tenure) for communities to sustainably use, manage and benefit from conservation and wildlife is a fundamental basis for effective community-based wildlife management. Communities therefore need support and help in securing the transfer of, and respect for, land and resource rights at national level. International restrictions imposed via multilateral agreements or import restrictions should be based on very careful consideration of how these will affect community wildlife management at the local level.

Policies often ignore the benefits of using land for wildlife, and favour agricultural, extractive or other commercial development. This drives loss of wildlife and can restrict community rights and interests. Wildlife policy needs to be integrated into sectoral and development policies and land-use planning.

Research has shown a strong correlation between the high prevalence of ITW and high levels of corruption. Corruption hampers CWM and facilitates ITW. Because tackling corruption is such a huge task, a common response is to do nothing. But small anti-corruption steps that are integrated into wildlife-related initiatives can prove beneficial.

Building the technical, financial and managerial capacity of communities often requires initial support from external sources, including community-based organizations, NGOs, donors, government agencies and the private sector. When supporting and building these partnerships, however, it is critical to avoid domination by potentially conflicting agendas.

## **7. Legitimate, functional community governance institutions must be fostered**

Effective community governance requires clarity on who constitutes the community doing the managing. Legitimate institutions need to be developed within and by these communities to ensure equitable benefit sharing and effective resource management, based on respect for legitimate traditional institutions where these exist. These power structures must be accountable to the community. Attention must be paid to understanding the diverse and heterogeneous groups within communities and how power and benefits are shared.

## **8. Communities need greater voice at all levels**

Finally, and perhaps most importantly, communities need greater voice in decision-making and policy development that affect them. This applies at every level, from local to global. Despite well-established policy commitments on the importance of IPLCs in conserving wildlife, IPLCs have little or no influence in conservation and wildlife management decision-making at the national level. At international level their influence is highly variable – from well integrated to virtually absent. Clear "entry points" for IPLC input; the support of the secretariats of relevant international policy-making bodies; functioning IPLC networks; and the provision of dedicated funding are crucial to enable their meaningful participation and contribution to debate.

## Appendix One: Table of lessons and recommended actions

**Table A1. Summary of major issues, lessons and recommendations from review of CBNRM literature, review of recent work on ITW, and review of IPLC engagement opportunities in key international policymaking arenas.**

Factor	Issues	Lessons	Actions
<b>LOCAL LEVEL</b>			
<i>Planning and management of interventions</i>	<p>Local motivation for and ownership of conservation interventions (including anti-poaching) is an important part of their success.</p> <p>Long-term relationships between project implementers and local people based on shared objectives, trust and reciprocity are key to success.</p>	<p>Interventions to combat ITW are more likely to be responsive to the local context, culturally appropriate, and successful where communities themselves identify that ITW is a problem, and are involved in defining the responses to it.</p> <p>Community engagement in efforts to combat ITW is a long-term process.</p>	
<i>Wildlife attributes</i>	<p>The success of CWM and combating ITW ultimately depends on the overall economic value (financial and non-financial) of maintaining the wildlife asset and its comparative advantage in relation to alternative land uses.</p> <p>There are a wide variety of mechanisms for capturing economic value including wildlife tourism or hunting; NTFP harvesting; PES schemes; cultural ties; and employment.</p> <p>The potential for each type of mechanism in any specific locality will be determined</p>	<p>High value wildlife species (whether fauna, fish or timber) can be perceived as "too valuable for local people to own".</p> <p>Migratory species are challenging to manage because of difficulties in gaining consensus on ownership and in monitoring their status.</p> <p>Use of rare or localized species may be restricted by international agreements.</p> <p>Severely degraded assets may not generate enough (or quick enough) return on investment to incentivize community</p>	<p>Assess opportunities for CWM based on site-specific characteristics. Different attributes of wildlife and wildlife habitat will lend themselves differently to different strategies for a) management and b) realizing value.</p>

by the type and characteristics of wildlife asset but also the surrounding habitat, existence of markets, local cultural values and practices.

management.

Wildlife has a higher comparative advantage on marginal land and may never be economically viable on land with high agricultural or development potential.

***Community attributes***

The success of CWM also depends on the characteristics of the community at a specific site.

Diverse, geographically disparate communities are more challenging to engage with than small, localized, homogeneous communities.

Understand “the community”.

“The community” may vary hugely in terms of how easy it is to define. It may be one village; it may be a widely scattered set of individual homesteads; it may be transient herders.

Communities are not static, homogenous or generalizable entities. Instead, they can be highly heterogenic and complex with the potential for conflict between different groups.

If necessary work with homogeneous sub-groups within a heterogeneous community

The cultural significance of wildlife and cultural acceptability of different wildlife uses will also vary. As will the land and resource rights that are held collectively and/or individually.

Little consideration is given to individuals within communities and the motives they might have to work against community-based conservation programmes.

For a community to function as a group of common property resource managers they should be able to identify themselves as the owners of the resources they manage, and this ownership must be recognized by others including neighbouring communities as well as decision-making bodies.

In some cases, local human population pressure may exceed the threshold for sustainable use of available land.

There is no simple way to determine who is a stakeholder in a particular locality but the more participatory an exercise this is, the higher the chances of the results being accepted.

***Community management organizations***

In some locations there will be pre-existing community structures that are concerned with natural resource management. In other cases no such structure exists and a

Whether new or old, community structures that are self-generated [rather than externally imposed] are likely to be most effective

Make a pragmatic assessment of which structures have the capacity and motivation to manage wildlife resources, and build on these.

new one will need to be put in place. There are advantages and disadvantages to both. Some traditional authorities can be very undemocratic and represent a form of elite capture. On the other hand new structures can cause conflict with traditional structures.

Whether new or traditional, a common theme on community management structures is that they should be devolved to the lowest level possible.

***Costs and benefits of wildlife management***

The benefits to local communities from engaging in wildlife management – whether monetary, cultural, or any other form – have to exceed the costs. In ITW contexts the benefits of illegal behaviour can be very high, so benefits of legal, sustainable wildlife management may need likewise be particularly high to offset this.

Costs of local engagement in wildlife management – particularly transaction costs and opportunity costs – are often overlooked.

Ensuring the way benefits are shared is widely perceived to be fair is as important as the size and type of the benefits themselves.

***Land and***

If wildlife assets are perceived as being

Downward accountability – where management committees are accountable to the wider community rather than vice versa appears to be a key feature of successful local management organizations.

Effective and charismatic local leaders are key, but leaders need to be answerable to their people, not people to their leaders.

Monetary benefits are important, but equity and empowerment are often more important, particularly when people gain, or maintain, control over and access to, resources.

Monetary benefits are more easily captured by elites whereas non-monetary benefits can provide long lasting, community-wide benefits.

Benefit sharing is likely to be easier and more equitable when membership of the community management institution is well defined.

Benefits should flow directly to the communities rather than via intermediary organizations.

Local land and resource rights are critical

Introduce new structures where there is nothing to build on.

Enhance downward accountability by raising awareness about rights and responsibilities, coupled with mechanisms that promote transparency, openness and flexibility.

Base the type and mix of benefits on the specific context of the site and the characteristics of the recipient community.

Ensure an early supply of at least some level of benefits and consider the timing of benefits in relation to other factors such as seasonality of farming income.

Share benefits in a way that is commensurate with the varying sacrifices and contributions made, or the damages incurred.

Ensure that the mode of distribution, and type of benefits, has the support of the project's constituents.

Community organizations need

**resource rights**

open access they are generally over-exploited (usually illegally).

The degree to which local communities have recognized authority over land and resources varies hugely from country to country. In Latin America particularly, but also in Asia, indigenous people are recognized by the state and their traditional authority over specified land areas and resources is protected by law. These rights are less common in African contexts.

Rights can be de facto rather than de jure and in some case formalizing rights can undermine informal, sustainable regimes

**Community resource use rules and their enforcement**

A key element of having secure tenure and resource rights is the ability to enforce these against both internal and external threats.

Effective enforcement is a critical element of combating ITW in many contexts.

to the success of CWM and to combating ITW.

In general, governments (central and local) have been reluctant to devolve rights over natural resources to local people due to vested interests.

In protected area contexts encouraging community engagement can be even more complex, especially if co-management agreements are not an option.

CWM is facilitated by local involvement in the setting and enforcement of rules – including the application of sanctions.

However, while enforcement of community-agreed rules with respect to other community members may be feasible, enforcement against external violators is more difficult and potentially dangerous.

Enforcement is less likely to be effective where community guards are unpaid and thus susceptible to bribes.

State-led enforcement against ITW is often necessary, and is enhanced by

support to help in pressing for transfer of, and then respect for, rights.

Provide community guards with back-up from formal enforcement authorities, especially in the case of high value species.

Provide stipends for community guards via government or NGO enforcement budgets.

Target law enforcement efforts on the key drivers of ITW.

Build strong relationships between IPLCs and arresting authorities based on trust, respect for traditional authority, and developing shared, co-created solutions rather than simply

support (particularly intelligence) from local people.

**Law enforcement against ITW is often insufficient or targeted at “low hanging fruit” (local level poachers) rather than more powerful actors. Where poorly directly it can be harsh, unjust, and drive poor people to rely more on ITW.**

Harsh or unjust law enforcement can undermine the potential for community cooperation with law enforcement.

imposing rules from outside.

Strengthen ability of IPLCs to express their views and needs directly and participate meaningfully in planning and decision-making on addressing ITW.

## NATIONAL LEVEL

### *Community voice and organization*

### *National policy and legislation*

CWM requires a supportive policy and legislative framework at the national level that facilitates devolved management and associated strong and effective community organizations and institutions.

Currently different countries are hugely variable in the degree to which CWM is embedded in national policy.

Even where wildlife policy is supportive of CWM other sectoral policies may undermine it.

Wildlife policy often restricts the use of wildlife to such an extent that it has little or no economic value to local people and so there is no incentive for them to conserve it.

National sectoral and development policy – for example on agriculture – can be a major driver of wildlife and habitat loss.

Even when policy and legislation is supportive it can result in bureaucratic and complex procedures, which are difficult for communities to fulfil.

Policy makers lack incentives to undertake

Countries need to **meaningfully show inclusivity of IPLCs in their national dialogues**

Coordinated land use planning is required to assess trade-offs between different land use options.

Policy documents need to be made easy for local people to understand.

Wildlife policy needs to be coordinated with sectoral and development policy.

***External support and influence***

Communities often need significant technical and capacity support to effectively engage in CWM.

There are numerous sources of such external support – from networking with other community-based organizations to partnering with NGOs, donors, governments and the private sector.

the necessary policy reforms that are required to support CWM.

Strong policy commitments at international level are often not matched by their national-level implementation.

Multi-level, multi-stakeholder partnerships can help develop a shared vision for conservation (including addressing ITW) and a strategy for achieving that vision that includes the role of CWM and of other stakeholders in supporting it.

Government support, beyond policy formulation and in the form of extension services and technical advice and assistance is critical but can be nullified by negative aspects associated with patronage and corruption. Hence the importance of other actors.

NGOs are the most common type of support organization associated with CWM but sometimes their own agendas can take priority over community needs.

Donors play a critical financing role but inflexible, time-bound projects can constrain rather than facilitate CWM.

The private sector is a critical untapped resource but can also be risky allies if not committed to helping communities

achieve their aspirations.

**Corruption**

Corruption is a fundamental impediment to successful CWM. It can take many forms including bribery, rent seeking, nepotism and cronyism and it can be perpetrated by a wide range of actors from politicians to local elites.

Greater collaboration is needed between conservation and anti-corruption communities in order to ensure latest thinking is incorporated into design of CWM initiatives.

**INTERNATIONAL POLICY**

**International Policy**

Even though CWM is practiced in specific sites in sovereign states, it can be influenced by international policy (including international conservation policy such as CITES and international trade policy such as phyto-sanitary standards).

It can also be affected by the domestic policy of third-party countries if, for example, that policy places restrictions on the import of wildlife-based products.

**Community voice at international level**

There are highly variable opportunities for IPLCs to present their views and participate in key wildlife-related policy and decision-making arenas. They face major challenges even in the most supportive arenas.

IPLCs need clear and official mechanisms enabling their input, Secretariat support, and funding in order to participate effectively.

Building strong networking and coordination among IPLCs is essential for meaningful participation.



## Appendix Two: Consultees and Interviewees

The authors would like to express their great appreciation for the valuable comments received from the following individuals and organizations, which have improved the manuscript considerably.

Name	Affiliation	Comments
<b>IPLC representatives and networks</b>		
<i>*Initial input was sought from a number of IPLC representatives via email, and then draft report was circulated to members of the IIFB and the ICCA Consortium (Indigenous peoples and local Community Conserved territories and Areas Consortium)</i>		
Mrinalini (Tina) Rai	Global Forest Coalition, Thailand	Skype interview, detailed comments on manuscript
Yolanda Teran	Education Coordinator of the Indigenous Women Network on Biodiversity from Latin America and the Caribbean	Email interview
Joji Cariño	FPP	Email interview
Florence Daguitan	TEBTEBBA, Philippines	Email interview
Lucy Mulenkei	Indigenous Information Network (IIN), Kenya	Comments on draft
Francisco Rosado May	Profesor Investigador, Universidad Intercultural Maya de Quintana Roo, Mexico	Comments on draft
Lazarus Kairabeb	Nama Traditional Leaders Association (NAMA), Namibia	Comments on draft
Kevin Chang	Kua'āina Ulu 'Auamo (KUA), Hawai'i	Comments on draft
Grazia Borrini-Feyerabend	ICCA Consortium	Email comments
Holly Jonas	Natural Justice	Email interview
<b>International organisations</b>		
<i>*Draft report was circulated to UNEP, UNDP and UN DESA, as well as to all members of the Collaborative Partnership on Wildlife</i>		
	United Nations Environment Programme	Comments on draft
	CIC – International Council for Game and Wildlife Conservation	Comments on draft
	Secretariat of the Convention on	Comments on draft

<b>Name</b>	<b>Affiliation</b>	<b>Comments</b>
	Biological Diversity	
	IUFRO – International Union of Forest Research Organisations	Comments on draft
	UN Food and Agriculture Organisation	Comments on draft
	TRAFFIC	Comments on draft
Laetitia Zobel	Associate Programme Officer, United Nations Environment Programme	Skype interview
<b>Other networks and individuals</b>		
<i>*Initial input was sought via email interview from a number of community representatives or those working with communities in relation to accessing international deliberations. Draft report was circulated to wide range of individuals and organizations working on communities and ITW and/or working with communities in relation to international decision-making fora.</i>		
Charles Jones Nomlaki	Cameroon	
Susan Canney	Mali Elephant Project, Mali/University of Oxford, UK	Comments on text
Peter Bridgewater	University of Canberra	Comments on text
David Wilkie and Michael Paynter	Wildlife Conservation Society	Comments on text
Tanya Rosen	Panthera	Email interview

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