

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



Seventy-fourth meeting of the Standing Committee
Lyon (France), 7 - 11 March 2022

Strategic matters

Livelihoods

REPORT OF THE WORKING GROUP

1. This document has been submitted by the chair of the Working Group on Livelihoods.*

Introduction and background

2. At its 13th meeting (CoP13, Bangkok, 2004), the Conference of the Parties adopted an amendment to Resolution Conf. 8.3 that included the following text: RECOGNIZES that implementation of CITES-listing decisions should take into account potential impacts on the livelihoods of the poor.
3. To identify practical measures that would contribute to the implementation of the new provision included in CITES Resolution Conf. 8.3 (Rev. CoP13), the South African National Biodiversity Institute held a workshop on CITES and livelihoods in 2006. Workshop participants agreed on 14 recommendations, which were presented to the Conference of the Parties at its 14th meeting (CoP14, The Hague, 2007). Decision 14.3 established that: The Standing Committee, shall, subject to the availability of external funding, and requesting the assistance of organizations including the IUCN Species Survival Commission, initiate and supervise a process to develop, by the 15th meeting of the Conference of the Parties: a) tools for voluntary use by the Parties for the rapid assessment at the national level of the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor, in conformity with Resolution Conf. 8.3 (Rev. CoP13); and b) draft voluntary guidelines for Parties to address these impacts, particularly in developing countries.
4. At its 57th meeting (SC57, Geneva, July 2008), the Standing Committee agreed to establish a Working Group on CITES and Livelihoods to contribute to the implementation of Decision 14.3.
5. In Decision 15.5, the Standing Committee was requested to continue the operation of its Working Group on CITES and Livelihoods and to finalize the toolkit for the rapid assessment at the national level of the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor as well as the voluntary guidelines for Parties to address the negative impacts.
6. Resolution Conf. 16.6 (Rev. CoP18) recognizes that it will be possible to better achieve the implementation of CITES with the engagement of the communities that are traditionally dependent on CITES-listed species for their livelihoods and that the implementation of CITES listings may enhance livelihoods by delivering long-term species conservation and reducing unsustainable and illegal trade.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

7. Decision 18.34, directed to the Standing Committee, asks for the establishment of a working group on CITES and livelihoods, which will work in collaboration with the Secretariat to:
 - a) monitor the progress made by Parties in implementing Decision 18.33 to engage indigenous peoples and local communities* in CITES decision-making processes to better achieve the objectives of the Convention; and
 - b) review the report of the Secretariat on the progress made under Decision 18.35 and on the implementation of Resolution Conf. 16.6 (Rev.CoP18) on *CITES and livelihoods* to make recommendations, as appropriate, to the 19th meeting of the Conference of the Parties.
8. Decision 18.32 adopted at the 18th meeting of the Conference of the Parties to CITES requests the Secretariat to conduct a survey on experiences and lessons learned by Parties in engaging indigenous peoples and local communities in CITES processes. In line with the Decision and for the purpose of this survey, “indigenous peoples and local communities” (hereinafter referred to as “IPLCs”) should be understood to include rural communities.
9. In Decision 18.33, directed to Parties, Parties are invited to: a) collate or conduct new case studies, using the standard template, that demonstrate how sustainable use of CITES-listed species contributes to the livelihoods of the indigenous peoples and local communities* involved in such use, including examples of facilitating such involvement by wildlife-related authorities and other stakeholders, and submit them to the Secretariat; b) engage indigenous peoples and local communities* in CITES decision-making and implementation processes at the national level to better achieve the objectives of the Convention; and c) where appropriate, incorporate issues related to CITES implementation and livelihoods into national wildlife conservation and socio-economic development plans, as well as in relevant projects being developed for external funding, including funding from the Global Environment Facility (GEF) through the Global Wildlife Program.
10. In Decision 18.35, directed to the Secretariat, subject to the availability of external financial resources, the Secretariat shall:
 - a) support the collation or conduct of new case studies on CITES and livelihoods as described in Decision 18.33, paragraph a), and assist Parties to present the case studies in appropriate platforms, and in formats and manners that are most effective for targeted audiences;
 - b) commission an independent review, with inputs of experts from different disciplines, of relevant case studies on CITES and livelihoods, both existing and new, as well as existing guidelines on sustainable use of wildlife and engagement of indigenous people and local communities*, to identify best practices;
 - c) based on the review, prepare guidance on how to maximize the benefits for indigenous peoples and local communities* of CITES implementation and trade in CITES-listed species;
 - d) taking into account past work on traceability reported in document CoP18 Doc. 42, explore the possibility of using registered marks of certification, existing and new, and other traceability mechanisms, for products of CITES-listed species produced by indigenous peoples and local communities* consistent with CITES provisions, in order to enhance conservation and livelihood outcomes;
 - e) facilitate the organization of a workshop to review the guidance developed as described in paragraph c) above, to present new case studies on CITES and livelihoods, and to facilitate the exchange of experiences in collaboration with relevant international and regional organizations;
 - f) organize the production of outreach materials, including publications and short videos based on the case studies, to raise awareness of and promote best practices in CITES implementation and livelihoods including its contribution to the United Nations Sustainable Development Goals (SDGs) and to share such materials on appropriate platforms, including the CITES website, social media channels, external media, and exhibitions; and
 - g) make efforts to establish global partnerships with relevant international and regional organizations, including conservation organizations and development agencies to work together in activities regarding CITES and livelihoods.

11. Decision 18.37, directed to the Secretariat, establishes that, subject to the availability of external financial resources, the Secretariat shall organize a joint meeting of the intersessional working group on engagement of indigenous peoples and local communities* and the intersessional working group on CITES and livelihoods to support the implementation of Decisions 18.31 and 18.34.
12. On 24 February 2021, a meeting was held between the Chairs of the working group on indigenous peoples and local communities* and the intersessional working group on CITES and livelihoods coordinated by the Secretariat.
13. The Chair of the working group compiled and analysed the responses to the questionnaire issued by the Secretariat through Notification 2020/040; an overview is presented in the Annex to this document.
14. The findings of the questionnaire reveal that it is necessary to request information again to get a broader understanding of efforts made by Parties to engage IPLCs in CITES processes. Responses show that countries have mechanisms and national legislation to promote the participation of communities but there are limitations for implementing the legislation. The questionnaire also identifies the need for local capacity-building initiatives on CITES, its benefits and impacts.

Recommendations

15. Reiterate the consultation to Parties.
16. Decisions 18.34 and 18.35 on livelihoods not only refer to the consultation of local communities but also to recommendations that promote engagement of local communities in CITES implementation (Decision 18.35, paragraphs c, d, f, g). Considering this, the activities proposed for both working groups overlap, but the terms of reference of the working group on livelihoods is much broader.
17. At the time of drafting this report, results were not yet available of the virtual meeting scheduled with the Chair of the working group on rural communities to propose the option of addressing the activities of both groups through the Working Group on Livelihoods and to consult the members of both groups on the preparation of a draft decision to be submitted at CoP19 on the merging of both groups.

Results of the questionnaire compiled by Parties

Introduction

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Through Notification 2020/40, the CITES Secretariat issued the “Questionnaire on engagement of indigenous peoples and local communities”.

The questionnaire sent to Parties included the following sections:

1. Status of IPLCs and their relationship with CITES-listed species
2. Scale and form of engagement
3. Successful experiences in IPLC engagement in relation to CITES
4. Challenges
5. Additional information

Thirteen (13) Parties responded to the questionnaire (i.e. Bolivia, Botswana, Canada, Cambodia, China, the Democratic Republic of the Congo, Finland, Kenya, Mexico, Namibia, Nigeria, Peru and the United States).

A summary of the responses provided by Parties is presented below:

1. On the status of IPLCs and their relationship with CITES-listed species

- 1.1 How many widely recognized IPLCs groups are there in your country? Please provide details as much as you can, including their legal status, distribution, population, percentage of national population, the way they are organized, etc.

Of all the countries that completed the questionnaire, only one does not have legally recognized IPLCs; another country does not identify its rural populations as IPLCs but, according to its national administration, has entities known as *villas* with a certain degree of administrative autonomy; the 11 remaining countries have communities recognized by the State with numbers ranging from 1 to over 2000 IPLCs.

- 1.2 Approximately what percentage of IPLCs lives in proximity with wild animals and plants?

Two countries do not have information about the percentage of IPLCs that lives in proximity with wild animals and plants. According to the responses of 11 countries, the percentage ranges from 36% to 100%.

- 1.3 Do IPLCs in your country have legal access to wild animals and plants to support their livelihoods, either for subsistence or non-subsistence purposes? Please indicate if they have the right to use, tenure or ownership of the land and the percentage of wild animals that are in protected areas.

Most countries gave an affirmative answer. Only one reported the absence of legislation securing tenure rights to land and the existence of some disagreements with community groups since they consider that recent policies and regulations are having a negative impact on community rights to the use of land, water and wildlife resources.

- 1.4 Are IPLCs and their rights recognized in legal frameworks in your country? Please provide relevant documents or references (hyperlinks) and/or explain the main features of such legislation, including existing legal and other mechanisms allowing IPLCs to organize and/obtain such rights.

All the countries gave affirmative responses. Only one stated that, although the customs, language and self-government of the only IPLC of the country are recognized as well as its livelihoods, there is no legislation guaranteeing its right over land, water or natural resources.

2. Scope and form of engagement

- 2.1 Have IPLCs been involved in CITES processes at local, national or international levels? This might include, but is not limited to, the management, conservation, designation of legal status or the use of native CITES-listed species, the preparation of a national position on an issue to be addressed at CITES meetings, the adoption of legislative or administrative measures at national or local levels that will affect them, and/or participation in CITES meetings as a member of the national delegation. Please provide examples.

Affirmative responses were received mainly regarding participation at national level (10) and some experiences at local level (2). Only one country reported that the community is involved in other (i.e., environmental and conservation) conventions but not in CITES.

- 2.2 How is engagement of IPLCs in trade in CITES-listed species and the decision-making process conducted? You can tick one or more boxes below and provide examples in each case, e.g. through a formal mechanism or a regulation to achieve such purposes.

Information giving - 7 responses

Involvement – 9 responses

Consultation – 7 responses

Participation – 2 responses

Collaboration – 6 responses

Empowerment (e.g., consent seeking or the right to vote) – 6 responses

- 2.3 Could you describe the roles and activities of IPLCs in your country in the production and value chain for CITES-listed species in trade? You can tick one or more boxes below and then provide details in each case.

Artificial propagation/cultivation of plants – 5 responses

Captive breeding or ranching of animals – 5 responses

Collecting, harvesting, hunting – 7 responses

Processing – 7 responses

Storage – 5 responses

Transport – 5 responses

Sale – 8 responses

Other – 1 (guides)

- 2.4 Have the proceeds from trade in CITES-listed species been reinvested in species conservation and community development programmes within or adjacent to the species' range?

Most countries gave affirmative responses. Only two countries reported that this was not applicable to them. One country reported that it is very difficult to conduct a follow-up of the few cases in which communities manage CITES-listed species.

3. Successful experiences in IPLC engagement in relation to CITES

- 3.1 What factors have contributed to the success of IPLC engagement with regards to CITES? Success factors might include but are not limited to the following. Please tick one or more choices below and provide details including on "other" factors.

Community governance/institutions – 8 responses

Traditional leadership and use of traditional knowledge – 5 responses

Establishment of trust and integrity – 2 responses

Laws ensuring adequate benefit sharing or other well-established mechanisms – 3 responses

Support from the government – 10 responses

Support from non-governmental organizations – 8 responses

Increased recognition of benefits of legal and sustainable trade to livelihoods and species conservation – 6 responses

Capacity-building for IPLCs – 5 responses

Good benefit-sharing mechanism – 4 responses

Organization at the local level – 5 responses

Awareness and education campaigns – 4 responses

Strong cultural and traditional values – 2 responses
Involvement of IPLC in species and habitat conservation – 5 responses
Other

3.2 How would you rate the success in IPLC engagement in your country? And please explain why

Most countries rated engagement in their country as medium (7 responses); others rated it as high (2 responses), low (1 response) or did not respond.

Countries recognized that better mechanisms to approach IPLCs are still being explored, as the conditions are still limited. The country that reported a low engagement of IPLCs considers that communities have a major lack of knowledge on CITES.

4. Challenges

4.1 What are the main gaps and challenges faced in the engagement of IPLCs in the CITES context?

Most countries identified as the main gaps and challenges the lack of resources, the presence of various groups with different cultures, customs and languages that make them difficult to reach, a low awareness of CITES and the need for tools that make it possible to understand the mechanisms of CITES and its benefits or impacts. Some countries reported lack of awareness among communities of their own rights and the need for governments to recognize the needs of communities, lack of information or statistical data on communities and their interaction with, management and use of CITES-listed species.

4.2 How can they be overcome and what improvement opportunities have been identified?

Respondent countries identified some improvement opportunities, for example, the ongoing debate on engagement of indigenous peoples as an opportunity to articulate the value of indigenous peoples and communities, the recognition of the role of IPLCs in conservation, the recognition of the rights, cultures and interests of indigenous peoples at governmental level, examples of involvement of IPLCs in other international fora such as the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change and the International Union for the Conservation of Nature.

They highlighted the need to overcome the lack of awareness and engagement through actions that are consistent with the national context, taking into account the cultural diversity of the various countries, and also the need for schemes for capacity building and integration of productive chains.

Section “F”

Three Parties are willing to share technical experiences and knowledge, technologies and systems developed, lessons learned, to work to implement electronic permitting systems and are also willing to participate in a project.

One Party is willing to share expertise and knowledge, technologies and systems developed as well as lessons learned. It has a positive attitude regarding projects but considers that there may be funding problems.

One Party is willing to share expertise and knowledge; another Party is willing to share knowledge and expertise as well as participate in a project but does not have much information to share since it lacks an actual electronic permitting system.

Four Parties gave no answer.

Four Parties gave a detailed description of the status and implementation of their national electronic permitting project.