

CONVENTION SUR LE COMMERCE INTERNATIONAL DES ESPÈCES
DE FAUNE ET DE FLORE SAUVAGES MENACÉES D'EXTINCTION



Séances conjointes de la 30^e session du Comité pour les animaux et
la 24^e session du Comité pour les plantes
Genève (Suisse), 20 – 21 juillet 2018

Questions d'interprétation et d'application

Respect général de la Convention et lutte contre la fraude

Étude du commerce important de spécimens d'espèces inscrites à l'Annexe II

ÉTUDE DU COMMERCE IMPORTANT À L'ÉCHELLE NATIONALE

1. Le présent document a été préparé par le Secrétariat.
2. À sa 17^e session (CoP17, Johannesburg, 2016), la Conférence des Parties a adopté la décision suivante:

17.111 À l'adresse du Comité pour les animaux et du Comité pour les plantes

Le Comité pour les animaux et le Comité pour les plantes, avec l'aide du Secrétariat, explore les avantages et les inconvénients éventuels d'une étude du commerce important à l'échelle nationale, en tirant parti des enseignements acquis, des résultats et des effets de l'étude du commerce important réalisée à l'échelle de Madagascar, s'il y a lieu.

Mise en œuvre de la décision 17.111

3. À la séance conjointe de la 29^e session du Comité pour les animaux et la 23^e session du Comité pour les plantes (AC29/PC24, Genève, juillet 2017), le Secrétariat a soumis le document AC29 Doc. 13.4/PC23 Doc. 15.4. En appui à l'application de la décision 17.111, il proposait d'organiser une consultation pour analyser les avantages et les inconvénients éventuels d'une étude du commerce important à l'échelle nationale et indiquait que l'étude du commerce important à l'échelle nationale de Madagascar pouvait fournir des enseignements utiles sur la possibilité de mener d'autres études de cette nature. Il faisait aussi des suggestions sur différents aspects relatifs à l'étude du commerce important à l'échelle nationale que les comités pourraient examiner indépendamment d'une consultation de soutien.
4. Sur la base du document du Secrétariat et des discussions qui ont eu lieu en plénière, les comités ont établi un groupe de travail intersession sur l'étude du commerce important à l'échelle nationale avec le cahier des charges suivant:
 1. *étudier les avantages et les inconvénients potentiels des études du commerce important à l'échelle nationale à partir des enseignements retenus et de l'information disponible sur les résultats et conséquences et, si possible, les résultats de l'analyse proposée au paragraphe 6 du document AC29 Doc. 13.4/PC23 Doc. 15.4;*
 2. *en tenant compte des discussions de la session conjointe, examiner les questions mentionnées au paragraphe 7 du document AC29 Doc. 13.4/PC23 Doc. 15.4; et*

3. *faire rapport à la 30^e session du Comité pour les animaux et à la 24^e session du Comité pour les plantes.*

La composition du groupe est établie comme suit:

- Membres: les représentants du Comité pour les animaux pour l'Europe (M. Fleming), l'Amérique du Nord (M^{me} Gnam) et l'Océanie (M. Robertson), la Présidente du Comité pour les plantes (M^{me} Sinclair) et le spécialiste de la nomenclature du PC (M. McGough);
- Parties: Canada, Espagne, États-Unis d'Amérique, Madagascar, Norvège, Pérou, Suisse, Union européenne et Zimbabwe; et
- OIG et ONG: Centre mondial de surveillance continue de la conservation de la nature du Programme des Nations Unies pour l'environnement (PNUE-WCMC), Union internationale pour la conservation de la nature (UICN), *Center for International Environmental Law, Defenders of Wildlife, German Society of Herpetology, Humane Society International, Species Survival Network*, TRAFFIC et WWF.

5. Le Secrétariat a obtenu un financement et a commandé au Centre mondial de surveillance continue de la conservation de la nature du Programme des Nations Unies pour l'environnement (PNUE-WCMC) un rapport technique d'*Évaluation de l'étude du commerce important à l'échelle nationale*, figurant dans l'annexe du présent document. Une version initiale du rapport a été communiquée à un groupe de travail intersession pour contributions et commentaires. Le rapport fournit une vue d'ensemble de l'étude du commerce important à l'échelle nationale pour Madagascar, souligne les réussites et les difficultés, tire les enseignements et fournit des recommandations pour toute étude future du commerce important à l'échelle nationale.

Recommandations

6. Les Comités pour les animaux et pour les plantes sont invités à:
 - a) examiner les résultats du rapport figurant dans l'annexe du présent document et tout résultat du groupe de travail intersession (qui pourrait se réunir à la présente session pour conclure ses délibérations);
 - b) tirer les conclusions résultant de l'application de la décision 17.111, s'il y a lieu, et évaluer si la décision peut être considérée comme appliquée; et
 - c) convenir d'une marche à suivre pour communiquer les résultats de l'application de la décision 17.111 et toute autre conclusion à l'attention du Comité permanent, à sa 70^e session, et/ou de la Conférence des Parties, à sa 18^e session.

UNEP-WCMC **technical report**

Evaluation of the country-wide significant trade review process

CITES Project No. S-520

Evaluation of the country-wide significant trade review process

Prepared for
CITES Secretariat

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Introduction

In 2001, the CITES Animals and Plants Committees agreed to trial a country-based approach to reviewing significant trade, i.e. reviewing the implementation of Article IV of the Convention at the national level rather than at the species-specific level. Madagascar was the first (and, to date, the only) country to be subjected to a country-based review of significant trade, which took place between 2001 and 2008.

In the context of a broader evaluation of the Review of Significant Trade process, which was conducted between 2004 and 2016, the Animals and Plants Committees agreed on the relevance of conducting a case study on the country-based approach for Madagascar, but considered that such a case study would require a larger effort than was possible at the time and was therefore beyond the scope of the broader review.

At its 17th meeting, the CITES Conference of the Parties adopted decision 17.111, directing the Animals and Plants Committees, with the assistance of the Secretariat, to “*explore potential benefits and disadvantages of country-wide significant trade reviews, drawing upon the lessons learned, outcomes and impacts of the country-wide Review of Significant Trade of Madagascar as relevant.*”

The CITES Secretariat requested the UN Environment World Conservation Monitoring Centre (UNEP-WCMC) to produce the present report in support of Decision 17.111. The report provides an overview of the country-wide review of significant trade for Madagascar, outlines key successes and challenges, extracts lessons learned and provides recommendations for future country-wide significant trade reviews.

Overview of Madagascar’s country-wide significant trade review

A brief overview of the process is provided below, which is also summarised as a timeline in Figure 1.

Process inception

The origin of the country-wide review of significant trade for Madagascar began in 2000. At its 10th meeting (in 2000), the Plants Committee considered that, as Madagascar was an important exporter of wild-sourced orchids and succulents and noting concerns about the sustainability of this trade, a review of the trade in plants from Madagascar would be appropriate under the provisions of Resolution Conf. 8.9 (Rev.) (PC11 Doc. 11.2.1).

In relation to fauna, several species from Madagascar (mainly reptiles including *Calumma* spp., *Furcifer* spp., *Phelsuma* spp. and *Crocodylus niloticus*, but also birds, amphibians and invertebrates such as *Agapornis canus*, *Mantella aurantiaca*, *Tridacna maxima* and *Tridacna squamosa*) had been included in the Review of Significant Trade process in preceding years. In various instances, recommendations were not being applied to the focus species, and some of the species had been included in the process more than once.

Against this background, the CITES Secretariat first suggested in 2000 the possibility of the Animals and Plants Committees combining activities relating to Madagascar (PC10 Summary Record). A concrete proposal for the first country-based Significant Trade Review was presented by the CITES Secretariat in 2001 at AC17 (AC17 Doc. 7.5). In particular, the Secretariat requested the Animals Committee to consider a country-based approach to reviewing significant trade on a trial basis, with the aim of establishing a broader and more cost-effective approach concerning the implementation of Article IV at the national level. The proposal in AC17 Doc. 7.5 established criteria for the selection of countries for review (see Box 1) and objectives for the review (see Box 2).

Box 1. Criteria for the selection of a trial country

- Significant overall level of trade in specimens of Appendix II species.
- Subject to recommendations for several species and for which there continues to be a justifiable concern over the implementation of Article IV concerning exports.
- Experienced problems in establishing and implementing export quotas, in addressing recommendations made by the Committee in accordance with Resolution Conf. 8.9 (Rev.) and in monitoring trade and meeting CITES reporting requirements.
- Failed to adopt adequate legislation to implement CITES and/or experience problems with the enforcement of legislation (e.g. persistent illegal trade).
- Remained subject to various trade suspensions recommended by the Standing Committee.

Box 2. Objectives of the process

- Base the review on existing concerns and information (an overview of trade trends, previous actions by the CITES authorities of the Party concerned, recommendations of the Committees, concerns about compliance with the provisions of Article IV, institutional arrangements related to implementation of Article IV, and the effectiveness of relevant national legislation).
- Develop a model for effective implementation of Article IV to be recommended to the Party concerned.
- Ensure that the implementation model covers all key aspects of managing exports of Appendix II species.
- Provide options for improved management capacity, institutional strengthening and/or legislative improvements where necessary.
- Identify the resources required by the Party concerned to implement CITES and to obtain donor support as required.

In addition, the CITES Secretariat agreed to develop Terms of Reference for the country-based review, to prepare a budget for the review, to seek funding and the cooperation of candidate countries, and to consult with the Plants Committee (AC17 Summary Record).

Following AC17 and PC11 recommendations, the first country-based Review of Significant Trade was initiated in 2001, with Madagascar chosen to be the subject of the review (SC57 Doc. 29.1 Rev. 2). The selection of the country to be reviewed was undertaken by Members of the Committee in discussion with the Chair, based on the agreed criteria (AC17 Summary Record).

Process implementation

The process was noted to generally follow the same sequence of events as the species-based Review of Significant Trade. The phases set out for the review are presented in Box 3. See also Figure 1 for a graphical overview.

Box 3. Phases of the review	
A.	Consultation with Malagasy CITES authorities concerning the implementation of Article IV;
B.	Compilation and review of information on the implementation of Article IV;
C.	Formulation of recommendations;
D.	Implementation of the recommendations; and
E.	Monitoring and evaluation of that implementation.

Phases A-B: Consultation and review

In 2001, in consultation with the Government of Madagascar, consultants (TRAFFIC International) began compiling information concerning the implementation of Article IV in the country. The compilation aimed to obtain an overview of:

- Trends in trade in Appendix II species from Madagascar
- Nurseries and operations that produce Appendix II species for trade
- The distribution and conservation status of Appendix II species in international trade or subject to recommendations made in the context of the Review of Significant Trade
- Previous actions by CITES authorities
- Recommendations of the Animals, Plants and Standing Committees
- Institutional and administrative arrangements related to the implementation of Article IV
- The effectiveness of relevant national legislation and its implementation
- Relevant government policies of Madagascar concerning the regulation of harvest of and trade in of Appendix II species.

Progress was hampered as a result of the political turmoil in Madagascar that ensued following a contested presidential election in December 2001 and that lasted for much of 2002. The CITES Secretariat and TRAFFIC International discussed the situation with the CITES Management Authority of Madagascar during CITES CoP12 (Chile, November 2002) and again during a visit to senior government officials in the country in February 2003. The organisation of a stakeholder workshop was agreed and a government representative in Madagascar was appointed as counterpart to the consultants.

In the run-up to the stakeholder workshop, the consultants, in cooperation with the Management Authority (MA), prepared background documentation and visited captive breeding and export operations in the country (AC19 Doc. 8.4 Annex).

A stakeholder workshop took place in Madagascar in May 2003, organised by the Malagasy Management Authority, the CITES Secretariat and TRAFFIC International. Over 80 participants attended. Agreement was reached on elements of an Action Plan and on a provisional timetable for drafting, reviewing and finalising the plan. Malagasy CITES Authorities, the CITES Secretariat and the Animals and Plants Committees were tasked with the production of the Action Plan. The Malagasy Management Authority agreed to not issue CITES export permits in the meantime for native wildlife. It was anticipated that the implementation of the agreed action plan would probably take several years.

Phase C: Formulation of recommendations

During the second half of 2003, a draft Action Plan was prepared and circulated to the Animals and Plants Committees and the Malagasy Management Authority for comment. Following more extensive stakeholder consultations in Madagascar, a final version of the action plan was agreed by the end of 2003.

The Plan (AC20 Inf. 10) contained five main themes:

- National policy;
- Legislation;
- Scientific contribution to the decision-making process concerning the harvesting of and trade in wild species;
- Operational procedures for controlling trade in wild species, from harvesting to export; and
- Implementation of controls.

Phases D-E: Implementation of recommendations and monitoring and evaluation

In early 2004, as part of the AC20 and PC14 meetings, the Committees identified implementation deadlines for the various elements of the Action Plan and agreed on reporting formats. These were communicated to the Management Authority of Madagascar. Short-term actions were to be completed by 31st July 2004 and progress on others (mid- and long-term ones) was to be reported by PC15 and AC21 in 2005. Madagascar also clarified that trade moratoria were no longer in place.

The CITES Secretariat monitored progress, interacting with relevant stakeholders at CITES CoP13 (Thailand, October 2004), and at a training workshop for CITES Authorities from the West Indian Ocean region (Madagascar, December 2004). During a February 2005 visit to Madagascar, the CITES Secretariat discussed the need for strong political leadership on the issue with the responsible Minister.

Madagascar provided a number of progress updates to the Committees during 2005-2008. Of particular note, assessments of progress were made by the Committees during the AC22 and PC16 meetings of 2006 and during the AC23 and PC17 meetings of 2008.

In 2006, the Committees acknowledged the progress presented in the report by the Management Authority of Madagascar (AC22/PC16 Doc. 10.4). In particular, the adoption of new national CITES legislation; scientific studies on various species; establishment of permanent secretariat servicing the Scientific Authority (SA) ; and capacity building activities. However, due to insufficient funding, not all planned activities could be undertaken and the need for more funding was highlighted (especially to undertake field studies and monitoring to underpin NDFs, evaluate the socio-economic importance of Madagascar's wildlife trade, and combat illegal trade).

Process completion

In 2008, the Committees, based on the progress reported by the MA of Madagascar (Annex to AC23/PC17 Doc. 8.2), agreed that the review had been completed, but concern was expressed that no formal process for ending the review was in place. It was acknowledged that Madagascar had made good progress and that the process had placed a burden on the country, but it was also questioned whether Madagascar was in a position yet to make NDFs for all exported species. The Committees also agreed that the country-based Review of Significant Trade in Madagascar should be included as a case-study in the Evaluation of the Review of Significant Trade. They noted that some animal and plant species from Madagascar were currently included in the species-based Review of Significant Trade and agreed that further species from Madagascar could be selected in future if they were considered to meet the selection criteria. The Committees also advised Madagascar to submit project proposals for those activities in the action plan that were not currently funded for approval through the procedure set out in Resolution Conf. 12.2.

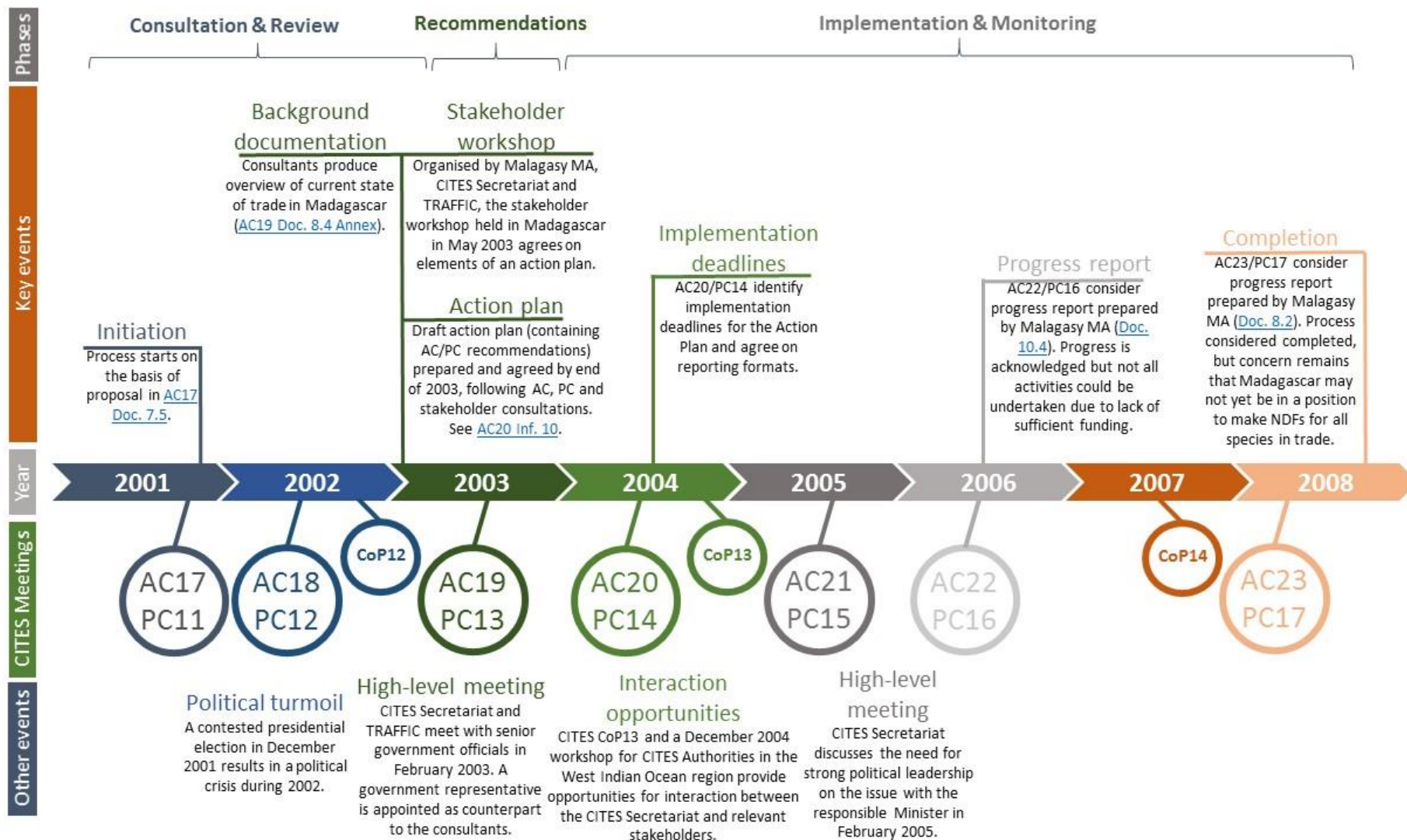


Figure 1. Timeline overview of the country-wide Review of Significant Trade for Madagascar.

Outcomes of the country-wide significant trade review for Madagascar

The main outcomes derived from the country-wide Review of Significant Trade that took place in Madagascar during 2001-2008 are summarised below, including key achievements as well as shortcomings and challenges. This has been compiled on the basis of relevant CITES documents, including Madagascar's final progress report (AC23 and PC17 Doc. 8.2), as well as responses (n=8) to a questionnaire from members of the inter-sessional Working Group on country-wide significant trade reviews (established at AC29/PC23 in July 2017), input from additional experts familiar with the development of the review in Madagascar, and other sources (such as the national wildlife trade policy review undertaken for Madagascar in 2008 as part of the CITES Policy Review Project).

Achievements

- One of the major achievements of the process was the production and adoption of an **Action Plan** in 2003, consisting of recommendation around five thematic areas. Progress against the Action Plan was summarised in AC23 and PC17 Doc. 8.2. A national wildlife trade policy review considered in 2008 that 80% of the 2003 Action Plan's goals had been achieved.
- Three key **legislation** instruments were passed, namely:
 - Law 2005-018, based on a CITES Law template and setting out the procedures regulating international wildlife trade in the country, including for non-CITES species;
 - Decree 2006-097 defining the responsibilities of the Management Authority and other authorities, and the relationship between them; and
 - Decree 2006-098 publishing revised CITES Appendices. It is unclear, however, how recently-listed timber and fishery species are dealt with under the legislation.
- The CITES **Scientific Authority** was formally established, and the need for robust NDFs was recognised by the country.
- A **methodology for the establishment of quotas** for fauna was developed, consisting of formulae based on various species and habitat parameters. Quotas were established for some species based on field surveys.
- **Studies into certain species** were undertaken and information was brought together through a number of workshops for various groups, including amphibians, tortoises, crocodiles and mammals. Thirty-nine plant species were identified as priorities for study: 24 of those were studied in 2005 and a further 15 species were studied in 2006.
- **Funds** were mobilised, with several institutions providing funding in support of the implementation of the Action Plan, including WWF, the French Cooperation Agency, USAID (through the Jariala project), Conservation International, WCS, and the Durrell Wildlife and Conservation Trust.
- Weaknesses and gaps were identified through an **objective assessment** external to the government.
- Attention was given to all Appendix II species and efforts made to address systemic issues (rather than just species-specific ones).
- Generation of **political will** during the process, including through high-level meetings between Malagasy government officials and the CITES Secretariat.
- A **code of conduct** for trade in wild species was prepared and signed by operators.
- The level of **professionalism of traders and collectors** was considered to have gradually improved, leading to improvements in breeding facilities and nurseries, reductions in mortality rates from wild harvest, establishment of standards for the breeding and transport of specimens and procedures for the export of wildlife.
- A **permanent secretariat** was established in 2005 to assist the Scientific Authorities.
- A **procedures manual** on wildlife trade was updated, validated and distributed.
- An internal strategy **document on combating corruption** was compiled.

- Eight **training sessions** were organised for relevant national stakeholders between 2006 and 2007.
- Species **identification sheets** were produced for some of the most commonly exported species. In addition, CD-ROMs on CITES were also produced and distributed at training sessions.

Shortcomings

Despite the successes, several issues were identified.

- At the end of the process, there were still animal and plant species from Madagascar included in the Review of Significant Trade, and concerns were expressed by the Committees as to whether Madagascar was yet in a position to make **NDFs** for all exported species.
- **Long-term funding** at the national level was not secured, with no budget lines allocated to CITES within the government.
- Although a **quota allocation system** was designed, it was noted that a more objective system needed to be implemented.
- The CITES MA of Madagascar reported in 2008 that **scientific data** relating to the biodiversity data of Madagascar were “far from adequate”.
- Although some key **legislation** was passed, other instruments, such as legislation regulating hunting, or legislation on flora, had not been completed by 2008.
- Despite regulatory improvements, **poor implementation** of legal provisions remained problematic.
- A national wildlife trade policy review from 2008 considered that the CITES Management Authority in the country was still considering **wild fauna and flora** as of **secondary importance** compared to timber, as the economic significance of wildlife trade was not fully appreciated.
- **Inconsistent decision-making** with regard to NDFs and trade permitting.
- Problems were not identified as part of the strategy on combating **corruption** (see ‘challenges’).
- It was inferred that, as a result of insufficient participation of local communities in the propagation of species, **overharvesting** from the wild continued.
- An **analysis of the costs and benefits** of the trade could not be undertaken due to funding not being secured.
- Although a **website** was under development in order to bring together all relevant information to the conservation and trade of species in Madagascar, the site was noted to be undergoing maintenance in 2008 and it is not currently available.
- Work was initiated, but not concluded, on preparing a methodology for the **tracking of permits**.
- A **simplified procedure for authorising exports** of CITES and non-CITES species was not produced.
- The effectiveness of **training** activities was not assessed.

Challenges

A number of wider challenges were identified that were likely to have contributed to the shortcomings of the country-wide review of significant trade for Madagascar. These are highlighted below.

In-country challenges

- **Political instability** in Madagascar, including during 2002 as the process was being initiated.
- **Insufficient high-level political will** that undermined progress and hampered its sustainability.

- **Insufficient awareness and capacity**, with low levels of understanding by CITES Authorities about what actions were required.
- **Personnel shortages** at the Management Authority.
- High levels of **staff turnover**, with loss of knowledge and capacity relating to CITES.
- Complete **change of Scientific Authority** in 2012, which affected internal coordination and undermined some of the progress achieved.
- **Communication difficulties** (no internet or telephone access in the offices of relevant authorities).
- **Corruption** was a challenge that could not be addressed by the process, but that undermined some of the progress made.
- **Low levels of strategic implementation**. Low level of operational buy-in, relying on the assumption that attention would eventually shift elsewhere.
- **Reactive behaviour**, with actions taken largely as a response to written requests or specific instructions.

Procedural challenges

- **Insufficient resources** that did not match the ambition of the wildlife trade policy and undermined its efficiency.
- **Insufficient long-term funding** leading to over-reliance on international donor support. This created difficulties as donor and country priorities were not always the same, as well as difficulty finding donors willing to fund long-term activities such as species studies or a cost-benefit analysis of the trade.
- The process, which extended over a period of approximately eight years, may have been **too protracted**, leading to a loss of momentum. On the other hand, the time needed for some of the changes (such as legislative and institutional reorganisation) to take place may have been underestimated.
- **Insufficient in-situ oversight**. Although one individual was offered by France at the start of the process to help with on-the-ground oversight of implementation, this arrangement was later removed and implementation then became more cursory.
- No formal process for **ending the review** was in place.
- The process **did not identify the required political or administrative reform**.

Indicators

In addition to the reported and perceived successes and challenges outlined above, seven indicators are presented below as a measure of the impact of the country-wide review of significant trade process in Madagascar. These indicators describe the status of a number of relevant variables for which there is sufficient data before, during and after the review.

1. Legislation

In the context of the CITES National Legislation Project, Madagascar moved from being a Party with legislation in Category 2 (legislation that is believed generally to meet one to three of the four requirements for effective implementation of CITES) prior to the review, to Category 1 (legislation that is believed generally to meet all four requirements for effective implementation of CITES).

2. Species subject to the Review of Significant Trade

The Madagascar country-based Review of Significant Trade does not appear to have resulted in an overall reduction in the number of species from the country included in the species-based Review of Significant Trade process (Figure 2). The number of species included in the process remained fairly constant, and at roughly pre-review levels, during much of the review period. It even increased towards the end of the country-

wide review, with *Mantella* spp. included in 2005, and peaked in 2008 as a result of the inclusion of *Aloe* spp., *Euphorbia* spp. and *Uroplatus* spp. Subsequently, the number of species included in the process has been declining year on year since 2009, with reptile, amphibian and succulent species being progressively eliminated from the review. However, this decline has in part been due to an increase in the publication of zero export quotas by Madagascar in recent years, which has led to the exclusion of some species from the review that otherwise may have been included.

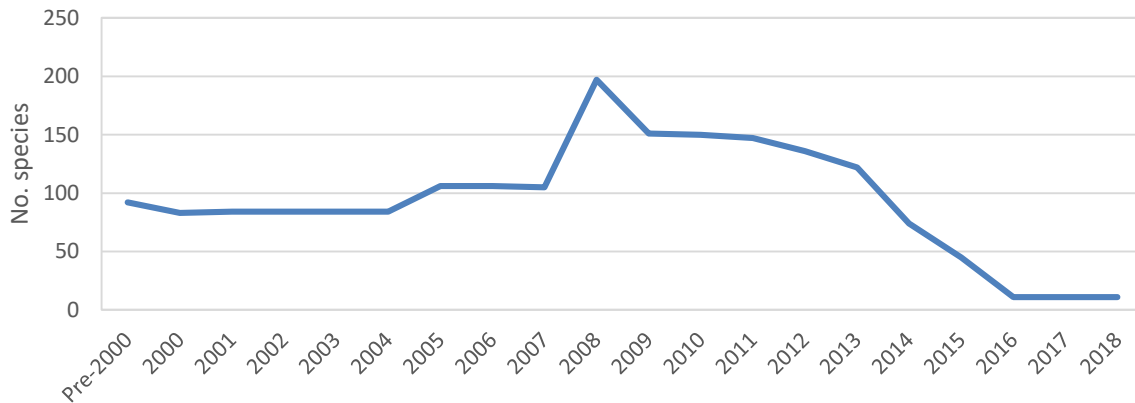


Figure 2. Species from Madagascar included in the CITES Review of Significant Trade process.

3. Trade restrictions (suspensions and quotas)

The number of species from Madagascar subject to CITES suspensions remained more or less constant throughout the review period, and it was the same (81 species) in the year after the end of the review (2009) than in the year before the start of the review (2000). The bulk of these suspensions referred to *Calumma* spp., *Furcifer* spp. and *Phelsuma* spp., and had been in place since 1995. A considerable number of these suspensions were lifted between 2011 and 2018; however, the total number of species subject to CITES suspensions increased markedly in 2016 as import bans were applied that year to *Dalbergia* and *Diospyros* species from Madagascar (Figure 3). Given its economic importance, it is also worth noting the suspension that was in place during 2010-2014 for *Crocodylus niloticus* from the country.

The reduction in CITES suspensions for *Calumma*, *Furcifer* and *Phelsuma* species during the last decade has been accompanied by an increase in the number of zero export quotas published by Madagascar (Figure 3), of which the majority referred to species of those genera. Other zero export quotas published by Madagascar over the last few years have focused on *Mantella* and *Uroplatus* species, as well as succulents, a number of palms and certain *Dalbergia* and *Diospyros* species. Trade suspensions were removed for a number of reptile taxa on the basis of no further anticipated trade (SC66 Doc. 31,2 Annex 2; SC66 Summary Record) and the Standing Committee requested Madagascar to communicate zero quotas to the Secretariat for relevant species (SC66 Summary Record); however, Madagascar have not yet formally published relevant zero export quotas.

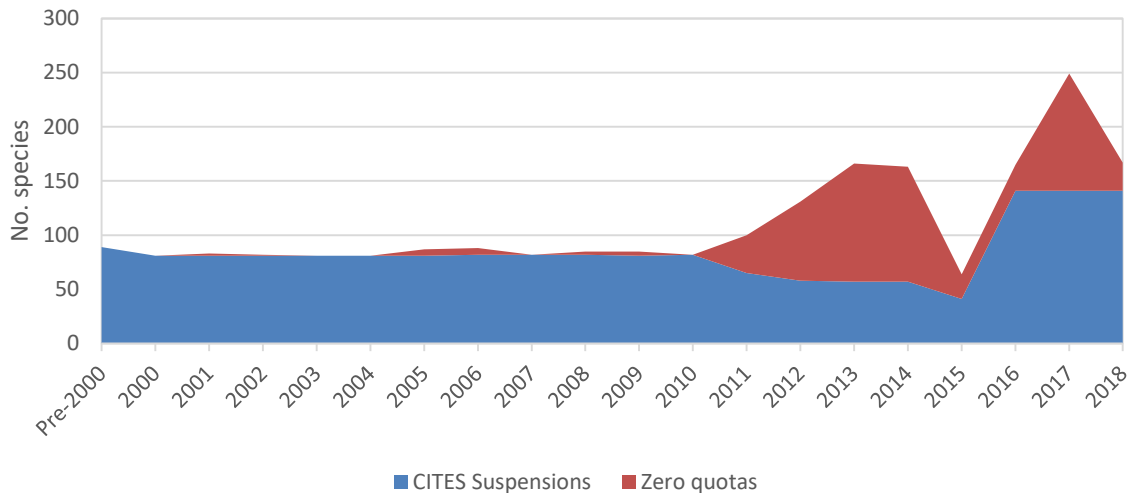


Figure 3. Number of species from Madagascar subject to trade restrictions over time (CITES suspensions and zero export quotas).

4. Trade trends

The bulk of Madagascar’s trade in CITES-listed species over the last two decades has consisted of live, wild-sourced geckos (*Phelsuma* and *Uroplatus*), chameleons (*Brookesia*, *Calumma* and *Furcifer*) and *Mantella* frogs; live, wild-sourced and artificially-propagated *Euphorbia* plants; ranched, captive-bred and wild-sourced *Crocodylus niloticus* skins; and *Prunus africana* bark (Figures 5-7). Overall, reported trade levels from Madagascar are considerably lower now than before the country-wide Review of Significant Trade process began.

Live exports declined in 1999, i.e. before the start of the process, and have since remained lower than pre-1999 levels (Figures 4 and 5). This reduction is likely the result of CITES suspensions affecting most chameleone and gecko species being put in place in the mid-1990s, as well as an increasing scrutiny of Malagasy succulent exports during those years in the context of the species Review of Significant Trade. It should be noted that, in the 1990s, levels of trade reported by Madagascar were significantly higher than those reported by importing countries, with discrepancies becoming less important since 1999 (Figure 5).

The export of *Crocodylus niloticus* skins increased during the 1990s and peaked in 2001, subsequently declining year on year and ceasing entirely following a CITES suspension that was put in place in 2010. Following the lifting of the trade suspension in 2014, trade resumed at low levels for captive-bred skins (Figure 6). *Prunus africana* bark exports from Madagascar reached a peak in 1999, following which the species was included in the Review of Significant Trade process, leading to a marked decline in exports during subsequent years. Exports ceased in 2007 and the species was removed from the review. Madagascar has published zero export quotas for the species every year since 2008.

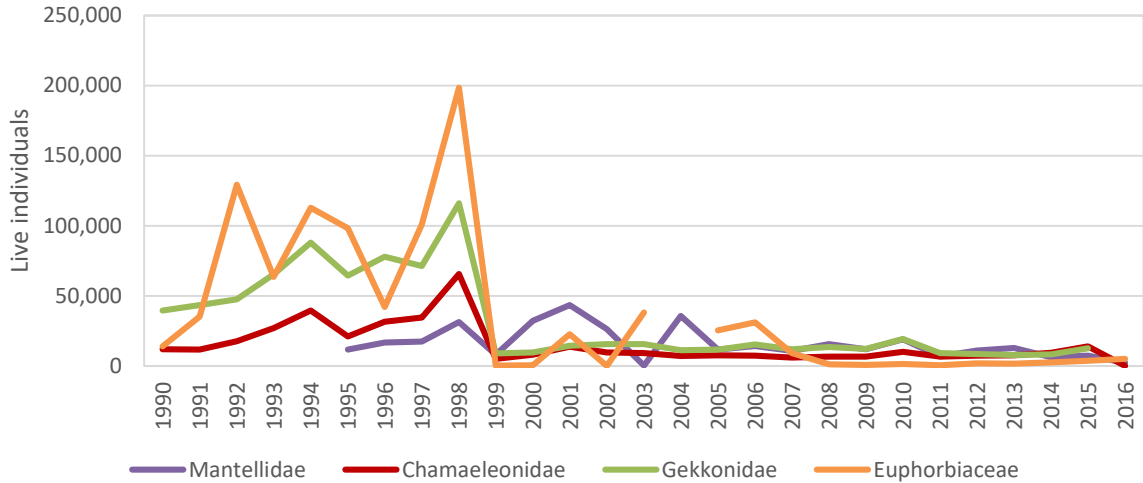


Figure 4. Live exports from Madagascar, by family (most exported families only), as reported by Madagascar, 1990-2016. All sources. (Source: CITES Trade Database, downloaded 10/4/2018)

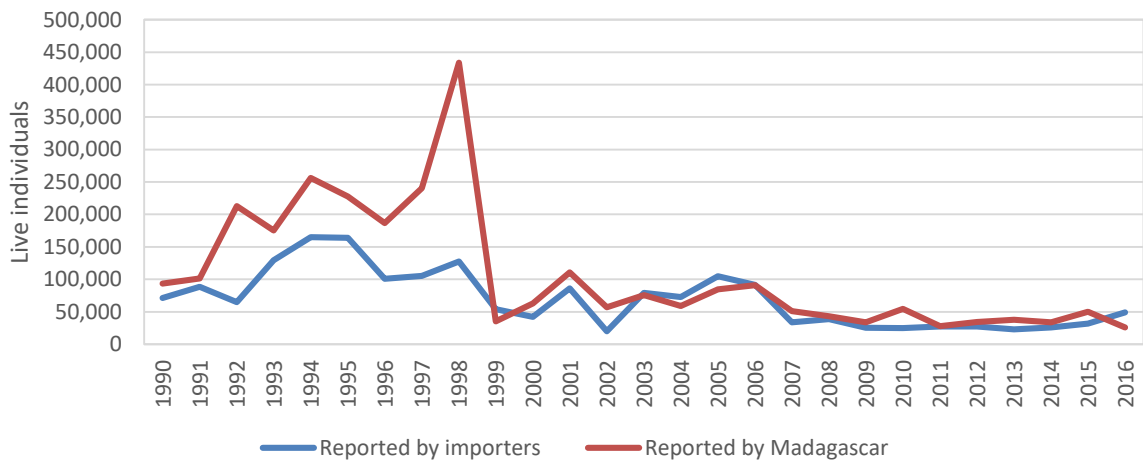


Figure 5. All live exports from Madagascar, all sources, as reported by Madagascar and by importing countries, 1990-2016. (Source: CITES Trade Database, downloaded 10/4/2018)

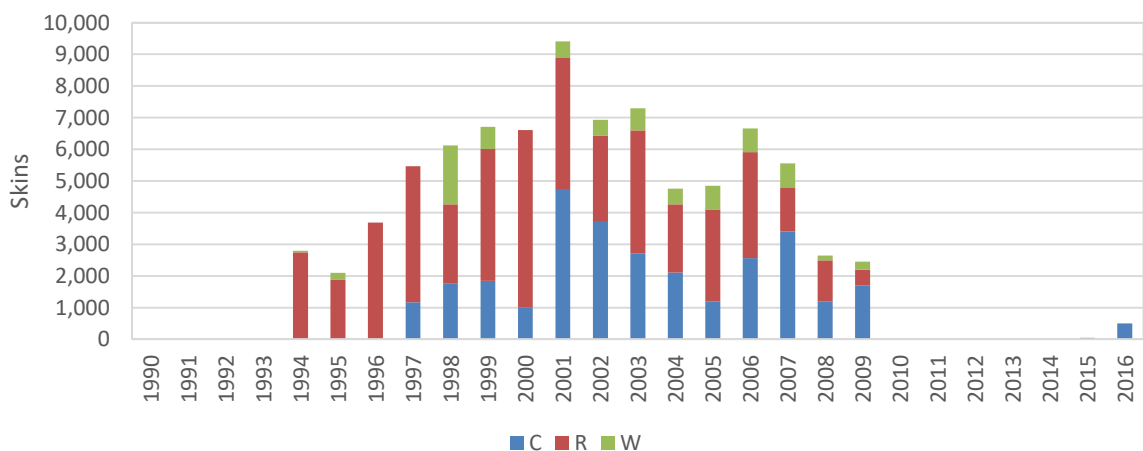


Figure 6. Exports of *Crocodylus niloticus* skins from Madagascar by source, as reported by Madagascar. (Source: CITES Trade Database, downloaded 10/4/2018)

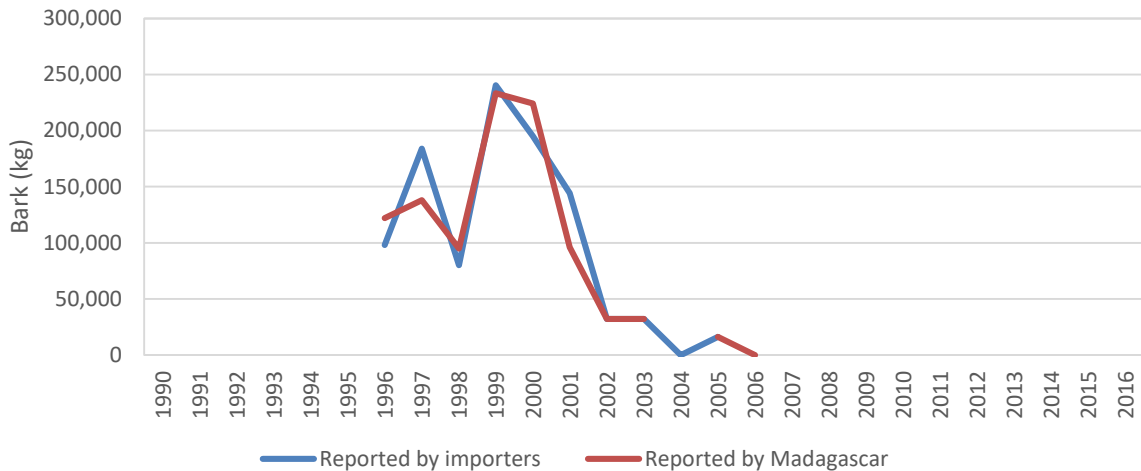


Figure 7. Exports of *Prunus africana* bark (in kg) from Madagascar, 1990-2016. (Source: CITES Trade Database, downloaded 10/4/2018)

5. Attendance at Animals and Plants Committees

Attendance at CITES Animals and Plants Committee meetings might provide some indication of engagement with the scientific and NDF-related discussions of the Convention. However, attendance will also be affected by resources available to the CITES Authorities for that purpose and by other factors. Therefore, this possible indicator aims to contribute to a wider picture rather than to provide any specific conclusions.

Based on CITES Animals and Plants Committee lists of participants, attendance between 2000 and 2017 by CITES Authority representatives from Madagascar has been variable (Figure 8). During this period, the country’s authorities were represented at both Committee meetings in 2006, 2008, 2012, 2014 and 2017. No Malagasy delegates appear to have attended either Animals or Plants Committee meetings in 2000, 2004 or 2009. No Animals or Plants Committee meetings were held in 2007, 2010, 2013 or 2016.

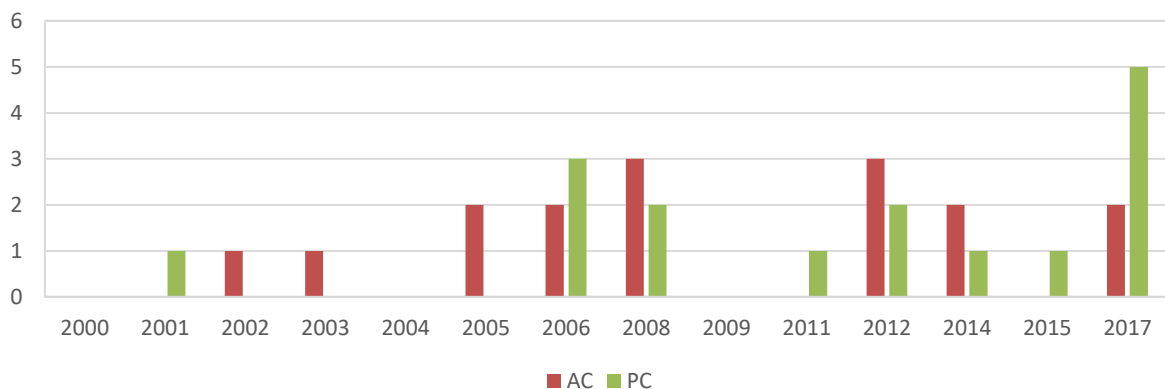


Figure 8. Number of Malagasy representatives at CITES Animals and Plants Committees, 2000-2017.

6. Annual and biennial reporting to CITES

Madagascar has submitted CITES annual reports for all years since 1993. Submissions since 2001 have been either within the submission deadline or up to three months after. Between 1993 and 2000, annual reports were only received within the deadline in two years (1996 and 1998), with delays of between 3 and 13 months in other years during that period. While this may suggest an improvement in reporting following the start of the country-wide review, it is not possible to establish a causal relationship.

Madagascar has only submitted one implementation (formerly known as biennial) report, for the period 2003-2004.

7. Proposals to amend the CITES appendices

The preparation and submission of proposals for the amendment of Appendices I and II, and listing of species within Appendix III may provide an indication of the level of engagement with the Convention. As presented in Figure 9, Madagascar submitted more CoP proposals in the three CoPs following the Review (CoPs 15-17) than in the three CoPs that preceded it (CoPs 9-11). While this might indicate an increased level of capacity and engagement by Madagascar as a result of the Review, the small sample size and the likely influence of other factors make it difficult to conclude whether there is a causal relationship. In addition, several proposals were unsuccessful, further limiting the conclusions that can be drawn from this indicator.

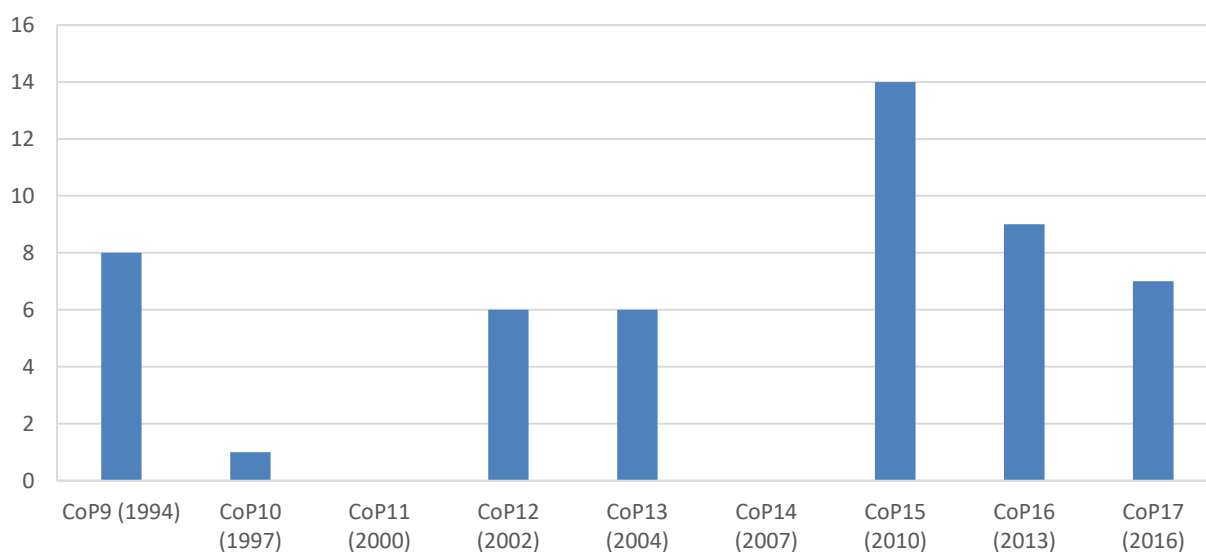


Figure 9. Number of CoP proposals submitted by Madagascar between CITES CoPs 9 and 17.

Other indicators

Additional potential indicators of the country-wide review process have been considered, but sufficient data could not be sourced as part of this review to evaluate success for Madagascar as the first country. These include an evaluation of the total financial costs of the country-wide exercise compared to the cost of undertaking the individual species-level reviews for the species that were covered; an evaluation of conservation outcomes on the ground; how the CITES Authorities respond to or initiate external consultations regarding the making of NDFs (quantity and quality of exchanges); and the level of funding from donors and other sources directed to CITES implementation and management of species in trade as a result of the country-wide review.

With regard to donor funding, although precise total figures could not be sourced or attributed to the process, there is evidence that it helped mobilise funds from various international donors to support the implementation of the Action Plan (as outlined in the achievements section). The level of international attention focused on CITES implementation in Madagascar is also likely to have influenced the allocation of subsequent funding to related projects in the country, such as the Darwin Initiative projects on 'Chameleon trade and conservation in Madagascar' (2009-2012) and 'Implementing CITES in Madagascar' (2012-2016), with combined funding of just over £500,000 for both projects.

Conclusion

The country-level Review of Significant Trade was conceived as a mechanism to address systemic problems in making non-detriment findings at the national level, related more to institutional or other wider challenges than to species-specific issues. As a country afflicted by number of systemic issues that had resulted in chronic concern from the CITES Animals and Plants Committees, Madagascar was selected on a trial basis as part of this process and was reviewed between 2001-2008. This country-wide trial represented the first attempt at a systematic, strategic approach to addressing implementation of Article IV.

The country-wide Review served as a wake-up call to the national Authorities with regards to CITES implementation, provided a comprehensive assessment of gaps and designed a thorough Action Plan with specific and relevant recommendations. It galvanised important changes such as the establishment of a CITES Scientific Authority, the passing of key legislative tools for the implementation of the Convention and the development of a methodology for the setting of export quotas. Funds were mobilised, the capacity of Malagasy CITES Authorities was improved and a number of species surveys were undertaken. Approximately 80% of the goals set out in the 2003 Action Plan were achieved.

However, despite the serious efforts made by the Malagasy stakeholders involved, the scale and nature of some of the challenges faced by the country meant that they could only be partially addressed through a CITES compliance mechanism. For instance, some challenges, such as political instability, corruption or insufficient political will, although of great relevance to the implementation of Article IV, were largely beyond what the Review of Significant Trade could influence, especially in a sustained, long-term manner.

In addition to externalities such as political instability and other wider institutional limitations in the country, the fact that implementation of activities relied largely on short-term donor funding, without unambiguous resource and policy commitments from Madagascar, that momentum may have been lost as a result of the length of the process, and that the sustainability of progress made was undermined by high levels of staff turnover and the perception of the process as a compliance mechanism, all contributed to a picture where the effectiveness and usefulness of the country-wide Review of Significant Trade have been put into question.

Overall, the Review resulted in mixed results. Although progress was made, deficiencies remain regarding the implementation of Article IV. At the end of the process, CITES Authorities were more aware than before about the NDF requirements, but the NDF making process was still deficient. The Review was accompanied by a reduction in the levels of exports from Madagascar across a wide range of taxa, possibly reflecting a more cautious approach by Malagasy CITES Authorities, including the setting of more conservative quotas. This is likely to have resulted in a reduction in harvest pressure on species that may have been previously overexploited. However, the process failed to put the country firmly on a path of well-managed sustainable trade, as demonstrated by the continued inclusion of species from Madagascar in the species-level Review of Significant Trade, as well as by the increasing number of Malagasy species subject to CITES suspensions and zero export quotas.

For all of its shortcomings, it is worth noting that the situation on the ground is likely to have been poorer should this Review not have taken place. For example, prior to the start of the Review, the possibility of a Standing Committee recommendation to suspend all trade from Madagascar was being considered. Even if such country-level ban had not materialised, it is likely that the number of species subject to import suspensions would be considerably higher than it is currently, and that Madagascar would not have had support to make the positive changes mentioned in relation to their CITES implementation.

Comprehensively assessing the longevity of achievements would require a more in-depth in-country assessment, but such evaluation has not been undertaken since 2008.

Outlook and recommendations

Benefits of country-wide reviews

Most experts and stakeholders consulted considered that, despite the mixed success of the Madagascar review, there were enough positive outcomes to justify the need for future country-wide Reviews of Significant

Trade. The main reasoning behind this is that lack of appropriate non-detriment findings across several species is often not the result of species-specific issues but rather an indication of more systemic, underlying institutional challenges. A country-wide review can therefore be more effective at addressing the broader issues inherent in such cases than could be achieved through undertaking individual species-level assessments as part of the species-level Review of Significant Trade process.

As exemplified in the case of Madagascar, country-wide reviews can catalyse positive transformation and, amongst others, help identify weaknesses and gaps objectively, build capacity, strengthen institutions, attract funding for species studies and trigger regulatory reforms.

Recommendations for future reviews

Consultations as part of the present assessment revealed a clear view that, if future country-level reviews are to be undertaken, the process should be amended considerably. Recommendations on how the process could be improved are provided below.

- **Voluntary capacity building approach.** The process should not be, or be perceived to be, punitive. Instead, it is likely to be more effective if constructed and implemented as a capacity support process, where resources and technical support are facilitated to support measurable progress against clearly defined objectives. Additionally, making the process voluntary may help harness the necessary political will and ensure the longer-term sustainability of outcomes. Countries would need to sign up to the Review and commit to its framework. As part of this framework, trade sanctions might still be considered in the context of existing CITES mechanisms if no progress can be demonstrated. A needs assessment should be undertaken to define the nature of the capacity support required.
- **Funding.** A structured funding mechanisms should be established. Implementation of the review should be budgeted at the outset and the necessary funds should be identified in advance. Funding through GEF, e.g. as a GEF support package, should be explored; the country-wide process could be part of a wider package of funding to support the CITES Review of Significant Trade process.
- **Mentoring.** A mentoring system could be considered, where external experts, e.g. from a CITES Authority or another relevant scientific institution, work with the CITES Authorities of the focus country to develop NDFs for key species and to define models of good CITES implementation practice.
- **In-situ external guidance.** A mixed committee, consisting of appointed national representatives working alongside external independent reviewers is suggested. Such in-situ support may be required throughout the duration of the process to guide and supervise the implementation of recommendations. The mentoring scheme could include personnel exchanges between different CITES Scientific Authorities.
- **Amend CITES Resolution 12.8 (Rev. CoP17).** A framework for country-wide reviews will be necessary, to clearly define from the outset essential aspects such as the objectives, scope, implementation mechanisms, timeframes, reporting, expected outcomes, monitoring, success measures and implications. To this end, CITES Resolution 12.8 (Rev. CoP17) on the Review of Significant Trade could be amended to define country-wide approaches. However, if the country-wide Review is a voluntary process, it might be worth considering an alternative name to “Review of Significant Trade”, to highlight the different nature and approaches of species- and country-level Reviews. It should be noted that the principles outlined in Annex 3 to CITES Resolution 12.8 (Rev. CoP17) are relevant also to country-wide reviews and should be considered when undertaking these.
- **Standing Committee involvement.** Because of the nature of the process, it can be anticipated that issues that are not related to the implementation of Article IV will emerge. Involvement by the Standing Committee and establishing links to other relevant mechanisms of the Convention would therefore be pertinent. This may include, for instance, measures under Article XIII of the Convention and links to Resolution Conf. 3.4 on technical cooperation,

Decisions 17.31 to 17.35 on capacity building and Resolution Conf. 16.7 (Rev. CoP17) on non-detriment findings.

- **Timeframe.** The process should have a clearly defined, structured timeline, with agreed milestones and an ending point. Two inter-sessional periods may provide an appropriate balance between allowing sufficient time to implement measures that may be required and avoiding an excessively protracted process. Following such core phase, it would be advisable to build in a longer-term monitoring framework that will allow the focus country to accomplish any activities that require a longer-term vision and to report on how improvements have been sustained in time. An additional inter-sessional period may be appropriate for this.
- **Action Plan.** The model for the country assessment and collaborative development of the Action Plan for the Malagasy Review was largely appropriate and could be replicated in other countries without the need for major adjustments. The key areas covered by the Action Plan are likely to be relevant and appropriate as a blueprint elsewhere.
- **Sustainability.** Staff turnover in CITES Authorities should be assumed and measures ought to be implemented to minimise the risks of capacity loss. Such measures could include a focus on building institutional capacity, implementing regulatory amendments where necessary, and developing manuals and standard operating procedures.
- **Success indicators.** Indicators should be established to measure the success of Reviews, and data should be collected before, during and after the Reviews in order to feed into those indicators. A number of potential indicators have been suggested as part of this report.
- **Longer-term monitoring and evaluation.** In addition to monitoring and reporting throughout the Review, in order to ensure that improvements are sustained in time, a longer-term approach should be considered, consisting of a re-assessment undertaken some (e.g. three) years after completion (see also timeframe recommendation).
- **Country profile.** While it is suggested that the process is voluntary, eligible countries should meet certain selection criteria to ensure that resources are directed where most needed. The criteria designed prior to the Malagasy review may still be relevant for the selection of additional countries. It is possible that the criteria could be simplified by focusing on the recurrence of species selected for the Review of Significant Trade (e.g. either more than two species selected in each of the last two cycles, or more than a total of five species under review, or at least two species subject to Standing Committee recommendations to suspend trade). An additional criteria that should be considered for inclusion in the selection process is the willingness of the country to participate and to commit resources to the implementation of the Review.