



CONVENTION ON MIGRATORY SPECIES

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THE RELEVANCE OF COMMUNITY-BASED NATURAL RESOURCE MANAGEMENT (CBNRM) TO THE CONSERVATION AND SUSTAINABLE USE OF MIGRATORY SPECIES

1. The need to create incentives for local people to sustainably manage migratory species is immense; however, the challenges for community-based natural resource management (CBNRM) are formidable. A recent symposium entitled “The relevance of community-based natural resource management (CBNRM) to the conservation and sustainable use of CITES-listed species” (17-20 May 2011, Vienna, Austria) hosted by the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management and the European Commission highlighted these challenges, with particular emphasis on CITES-listed species.
2. CITES and CMS share many species on their respective Appendices and can look back upon a long history of cooperation. This is reflected in the Memorandum of Understanding signed between the Secretariats of CITES and CMS in 2002 (CITES Resolution Conf. 13.3 on “*Cooperation and synergy with the Convention on Migratory Species of Wild Animals (CMS)*”), frequent bilateral meetings, as well as the new proposed joint work plan for 2012-14 (UNEP/CMS/Inf.10.35). The outcome of the Vienna symposium on CITES and community-based natural resource management is therefore of considerable significance to CMS.
3. In many developing countries of the southern hemisphere, a large proportion of their often considerable biodiversity is located outside of protected areas (PAs) where it shares space and resources with rural people. In fact, about 1.4 billion of the world’s extremely poor people live in such areas, particularly in sub-Saharan Africa and South Asia where they often depend upon species of wild animals and plants for their survival. In addition, the mostly colonial and post-colonial pillars of conservation, national parks and other PAs, while retaining a key conservation role, are no longer sufficient to meet terrestrial biodiversity conservation goals. They also often fail to meet their mandate due to poor governance, lack of funds, human population increases along their perimeters, and lack of incentives for affected rural people to help conserve wildlife. Conserving terrestrial wildlife populations outside of PAs, where governments have limited capacity to influence the sustainable use of resources, has thus become an increasingly high priority.
4. For both moral and strategic reasons, conservation practitioners have recognized the need to address the dual goals of biodiversity conservation and poverty alleviation, and

community-based natural resource management (CBNRM¹) has been a logical strategic response of the 1980s, benefitting in particular from early southern African initiatives. By transferring ownership or user rights from the Government to e.g. the producer level (e.g. local communities), CBNRM can provide affected communities with the necessary economic incentives to conserve and sustainably utilize, rather than to “mine”, terrestrial biological diversity outside the PA system, despite many short-comings in the implementation of many CBNRM programmes. This does not ignore the debate whether CBNRM can adequately address rural poverty – but in biodiversity conservation terms, there really is no alternative to CBNRM outside of PAs.

5. CITES tries to serve the interests of conservation by trying to ensure that international trade in specimens or products and derivatives is sustainable. But the Convention has limited capacity to ensure that trade is sustainable, and it is no coincidence that the preamble of the Convention text states that “*peoples and states are and should be the best protectors of their own wild fauna and flora*”². Effective implementation of CITES is therefore difficult to achieve without recognizing the economic, cultural and social concerns of affected communities. In combination with international trade controls and national enforcement, CBNRM has the potential to address effectively the biodiversity-poverty issue involving terrestrial species. Rural communities should thus be recognized as actors of critical importance for the implementation of CITES, with benefits to terrestrial species listed on the Appendices of CITES as well as the CMS.

6. CITES seems well aware that the effective implementation of a species listing is often dependent on the support of affected local communities, and this is reflected in several Resolutions of the Convention (e.g. Res. Conf. 8.3 Rev. CoP13 on “*Recognition of the benefits of trade in wildlife*”; Res. Conf. 13.2 Rev. CoP14 on “*Sustainable use of biodiversity: Addis Ababa principles and guidelines*”, and Res. Conf. 15.2 on “*Wildlife trade policy reviews*”), and Decisions 15.5 to 15.7 on “*CITES and livelihoods*”. But CBNRM remains controversial for a variety of CITES-relevant reasons, including reservations about what CBNRM has achieved; lack of understanding that CBNRM is a process and existing programmes are in various stages of development; poor knowledge of the opportunities to be gained through CBNRM; differences in cultural and ethical values regarding the use of terrestrial species; and because addressing poverty alongside the sustainable use of species is considered by many to be outside the mandate of the Convention, something that should more appropriately be dealt with by the Convention on Biological Diversity. The role of CBNRM in CITES decision-making processes therefore remains marginal at best.

7. Building on previous CITES initiatives on livelihoods, this symposium was the first international initiative of its kind that brought together key interest groups to synthesize the achievements of CBNRM for CITES-listed terrestrial species in exporting countries, including migratory species, and to provide the knowledge base necessary for a broad, balanced policy discussion within the European Union and beyond, regarding the role of rural communities in CITES decision-making processes. The symposium conclusions should be helpful in identifying options to enhance the current CITES Strategic Vision beyond 2013, to allow for the elaboration of better informed policy decisions of the European Union at meetings of CITES treaty bodies, and to identify important links between CITES and other relevant multilateral instruments, including CMS, to maximize relevant synergies with other organizations.

¹ „CBNRM“ is a broadly used terminology when referring to conservation programmes practised by rural communities, but terminology may vary with geography and context

² Wijnstekers, W. (2011) The Evolution of CITES – 9th edition. International Council for Game and Wildlife Conservation, Budapest, Hungary.

In conclusion:

- 1) The symposium participants noted that effective conservation of terrestrial species, especially outside protected area systems in developing countries, depends to a significant degree on the incentive-driven involvement of local communities in conservation programmes;**
- 2) They acknowledged that, while community resource management poses many challenges to terrestrial migratory species, for many rural areas of the world, it could often provide a solution to the classic problem of the Tragedy-of-the-Commons. Through collective management and self-interest, local communities can fulfil an important role in protecting natural resources which is beyond the capacity of governments or international treaties;**
- 3) They further noted that local communities should be treated no differently to other users of natural resources and discussion should focus on the nature of resource management regimes rather than the actors carrying out the management or the areas where management takes place;**
- 4) They emphasized that community-based conservation is most likely to succeed where legal rights have been conferred on local peoples and where affected communities in all range states collaborate closely in managing the common terrestrial resource;**
- 5) Furthermore, they observed that good governance and even-handed enforcement of relevant legislation were essential to ensure that community-based conservation programmes prospered and were not undermined by illegal and/or unsustainable exploitation of living natural resources;**
- 6) They recognized that income generation is only one measure of success, with others including civic development and education, greater empowerment and participation in democratic processes, shifts to more positive attitudes and increased tolerance to wildlife, and greater sense of pride in community identity and cultural values;**
- 7) They acknowledged that effective conservation of terrestrial biodiversity is more likely to succeed in the presence than in the absence of community-based conservation and sustainable use;**
- 8) They observed that both consumptive and non-consumptive use, where sustainable and linked to community-based conservation programmes, can be an effective instrument to conserve terrestrial biodiversity;**
- 9) They stressed that there is a need for greater information exchange on current community-based conservation programmes, and their levels of success (or reasons for failure), between practitioners and relevant interest groups and international conservation and development organizations;**
- 10) They recognized that there is an urgent need for awareness raising and capacity-building to contribute to the further development of community-based conservation programmes involving terrestrial species;**
- 11) They stressed that community-conservation programmes should conform to a comparable level of rigour concerning their conservation impacts as other means of exploiting living natural resources;**

12) Finally, they observed that successful conservation of terrestrial biodiversity through community-based conservation programmes would benefit from broad policy coherence across relevant Multilateral Environmental Agreements and organizations.

The proceedings of the symposium will be published in the IUCN-SSC Occasional Papers Series No. 46. The reports of the individual working groups of the symposium are included in Annex I to this document.

Annex I

Report

WORKING GROUP 1

Chair: Rowan Martin

Rapporteurs: Amelie Knapp, David Newton

PRINCIPLES AND CHARACTERISTICS OF SUCCESSFUL CBNRM PROGRAMMES: PROBLEMS AND KNOWLEDGE GAPS FOR EFFECTIVE CITES IMPLEMENTATION

PREAMBLE

The working group noted that the term Community-Based Natural Resource Management may have outlived its usefulness. Local communities should be treated no differently to other users of natural resources and discussion should focus more on the nature of resource management regimes rather than the actors carrying out the management or the areas where management takes place.

The term “community” may be extended to include not only local people living with resources (primary stakeholders) but also other actors along the chain of production (secondary and tertiary stakeholders) who are dependent on the effectiveness of the primary stakeholders.

These principles are intended to be general and applicable to all regions of the globe. However, it is fully recognised that what are presented as the “ideal” requirements for successful community resource management may not be realisable in all regions either because of prevailing governance systems or cultural factors.

Community resource management is not a universal panacea for all species and ecosystem conservation problems. For many rural areas of the world, however, it is the most effective approach to a successful and self-reliant stewardship of natural resources.

In the documentation for this symposium there are instances where the impression is given that community resource management (CRM) should serve the interests of CITES. The Working Group felt strongly that there is an equal need to consider how the Treaty can be adapted to accommodate the needs of local communities and recognise their conservation initiatives. For large parts of the globe, successful conservation will depend on the trust and cooperation of local peoples for its success.

CONTEXT AND QUESTIONS ADDRESSED

When attempting to generate broad symposium findings, the following questions seem relevant:

Question 1

Which fundamental principles and characteristics of community-resource management (CRM) programmes are essential to achieving the successful conservation and sustainable use of CITES-listed species through CRM?

The key points (1)-(3) are taken from Resolution CGR. Motion 069 adopted by the World Conservation Congress in Barcelona in 2008. Points (4)-(7) are based on “Indicators for FairWild

(medicinal plants)” which focus on sustainable harvest from the wild.

CRM is most likely to be successful where **legal rights** have been conferred on local peoples –

- (1) to establish communal institutions for conservation and management of natural resources on which they depend for their livelihoods;
- (2) to define the structure and membership of their own institutions; and
- (3) such rights include the authority and responsibility to –
 - (a) **take all necessary measures to protect their natural resources** (including the right of exclusion);
 - (b) **take all decisions on the use of local resources** and collaborate with neighbouring institutions/communities when issues of scale demand a wider consideration;
 - (c) **retain the income and non-monetary benefits** from their management; and
 - (d) **decide on the distribution of all income and benefits** from their management.

These are the socio-legal requirements which, if not satisfied, are likely to result in the eventual failure of any communal resource management programme. Additional requirements are –

- (4) Management is underpinned by the **overarching principles** that –
 - (a) **Use should not result in negative environmental impacts;** and
 - (b) **All use should be ecologically sustainable.**
- (5) **Adaptive Management**, carried out by the communities themselves, is both a necessary and sufficient methodology for **implementing** and **monitoring** community resource use.
- (6) Management practices should be **responsible and precautionary** – i.e. in order to avoid or minimise waste, harvest levels should be aimed at meeting market demands or community needs rather than realising the maximum sustainable yield which may be possible from a resource (paragraph (4)(a) above).
- (7) Use by all stakeholders should comply with relevant laws, regulations and agreements. Where outside interests are involved –
 - (a) they should respect customary rights and enter into contractual benefit-sharing and access agreements with communities;
 - (b) ensure fair working conditions for all participants in community resource management;
 - (c) apply responsible business practices.
- (8) The raising of awareness of local peoples to the options offered by community resource management to improve their livelihoods is a matter of high priority.

**The Working Group points out that in very few instances does
Communal Resource Management match up to all the requirements listed**

above ... nevertheless there are few alternatives for conservation of wild species outside State Protected Areas

Question 2

Do these principles and characteristics apply irrespective of geography and taxon?

NO. *See preamble.*

Where very **rare or localised species** are to be managed by local communities, oversight by State agencies and support from outside organisations may be appropriate. In situations where communities do not have cohesion and appear incapable of developing management institutions, external organizations might carry out management by employing staff locally. The training provided through in-service management could eventually result in communities forming institutions and assuming responsibility for management.

Migratory species present the greatest of all problems for community management. Unless all of the relevant communities whose land or waters form part of the range of the species can act in coordination, the prospects for conserving such species may be slim.

Question 3

Could these principles and characteristics serve as indicators against which to determine what constitutes a successful community resource management programmes?

Ultimately the status and trends of species populations and their habitats are the criteria by which success must be measured. Data from some case studies presented at this meeting (e.g. the Laikipia Forum and community conservancies in Namibia) indicate clear improvements in the status of wildlife populations on land under community resource management in contrast to wildlife declines in adjacent areas where no such management is in place.

Caution should be exercised in defining criteria for success in community resource management. Such management is ongoing, dynamic and adaptive. Indicators of success are project-dependent. Projects which appear unsuccessful initially may later succeed through ongoing adaptive learning processes.

The general growth in the number of community resource management projects appearing throughout the world could be considered an indicator of success.

Where ecological sustainability is clearly demonstrated, improvements in the livelihoods of people are also indicators of poverty alleviation. A greater emphasis on the dissemination of information from such successful projects (and, as a corollary, from projects which have not been successful) would be beneficial for importing countries.

Question 4

What are the greatest hurdles for the implementation of communal resource management and

how can they be overcome?

(1) **At the local level**, the problems may arise from –

- (a) **Lack of awareness amongst communities of the relative values of different land use options.** In African savannas, for example, the direct returns from land managed under wildlife generally exceed those possible from subsistence agriculture or pastoralism, particularly in arid and semi-arid ecosystems where annual rainfall is less than 500mm. The indirect returns from improved ecosystem conservation may be even greater. Tragically, the failure to devolve adequate rights over natural resources to local people tends to drive land use towards the lower-valued options.
- (b) **Entrenched reluctance amongst poor peoples to alter lifestyles.** Risk-aversion strategies are a characteristic of mass poverty (John Kenneth Galbraith – *The Nature of Mass Poverty*) and they result in an accommodation to being poor. Cultural tradition may also cause people to reject new resource management practices (e.g. nomads).

The only escape from the resulting poverty trap lies in education – people must become discontented with their current lot. Financial mechanisms which share the risks for local people attempting a change in lifestyle can assist the transition to higher-valued land uses based on natural resource management.

- (c) **The ratio of human population densities to available resources.** In many areas of the world human population numbers have exceeded the threshold where their livelihoods can be derived sustainably from the land on which they live – whether those livelihoods are based on subsistence agriculture, pastoralism or natural resource management. This poverty trap is currently affecting large parts of Africa, Asia and South America. The situation may have arisen from a long history of inequitable land distribution, through commercial developments which have expropriated land from communities or from a failure of land use planners to anticipate the livelihood needs of people.

Such situations would appear to present an intractable problem. The *per capita* dividends obtainable from community natural resource management are too low to provide the incentives needed for local people to form management institutions. The situation may be ameliorated by –

- giving local peoples greater autonomy to address their own problems;
- consolidation of land holdings amongst the people themselves to form larger, more viable units where returns from natural resources become meaningful; and
- changing settlement patterns to leave larger tracts of unoccupied land.

(2) **At the national level**, the greatest obstacles to the development of successful communal resource management institutions lie in –

- (a) **The failure to devolve adequate user rights to local people.** Governments and NGOs are reluctant to trust resource management to local communities arguing that they do not have the technical skills to carry it out effectively. There are other reasons – devolution carries with it a loss of bureaucratic power and reduced opportunities for the political élite to expropriate the significant values of certain wild resources. Whatever the reason, because of their proximity to the resources, local people can frustrate the realisation of all outside attempts at management and conservation if their rights are ignored.

- (b) **Negative or perverse incentives for land management.** Many governments do not view wildlife management as a valid form of land use and focus their attention on agricultural and livestock development. An example is the capital expenditure on veterinary cordon fences which favour the domestic livestock industry (more particularly, the export of meat to the northern hemisphere) and which have devastated wildlife populations in many African countries. Most importantly, these fences have foreclosed options for the higher-valued land uses which large national and transfrontier wildlife conservation areas could have provided to benefit rural peoples.
- (c) **Alienation of traditional communal land.** When valuable resources are discovered in communal land, there is tendency amongst many African governments (and their colonial precursors) to expropriate the land for private development. The Working Group gave examples of forced removals of communities to make way for large-scale commercial development of land for agriculture and the privatisation of prime wildlife tourism sites in communal land.
- (d) **Lack of support for local communities when their natural resources are threatened by externalities to which they are unable to respond effectively.** Examples of this might include illegal hunting or harvesting carried out by powerful groups outside the community, poor upstream watershed management or ill-considered mining development. In such situations, communities might reasonably expect support from government agencies: too often vested interests preclude such support.

(3) At the international level –

- (a) **Communal management regimes are not common in the western hemisphere so that many Europeans and Americans have difficulty relating to the concept.** In the 19th century game populations were severely reduced in Europe because of a history of open access. This led to hunting laws promulgated by States which to a large extent restored wildlife in those areas where excessive hunting had taken place. Accordingly, many Europeans see State regulation of wildlife hunting as the solution to the problem and have a natural reluctance to see control given to resource users.

However, the situations in Europe and Africa (for example) are not identical. Europeans have no recent history of deriving their livelihoods from wildlife management whereas Africa's wealth has, for hundreds of years, lain in high-value commodities such as ivory. It was this wealth that interested the colonial powers three hundred years ago. Experiments with community resource management institutions are not a feature of European societies whereas in Africa there is a growing body of rural peoples who have realised the competitive advantage of wildlife as a land use, especially where charismatic mega-fauna are involved. These people have invested in institutions to realise this potential wealth and the conservation of natural resources follows from their decisions.

- (b) **The loss of markets for products and activities derived from natural resources** can inflict considerable damage on successful community resource management programmes. Examples of this are the listing of species on Appendix I of the CITES treaty (e.g. the African elephant) and the abrupt closure by importing countries of hitherto available markets for wildlife products or trophies under the CITES provision for "stricter domestic measures". No matter how well-meaning such actions are, they seldom result in an improved conservation outcome and may remove the incentive to conserve.
- (c) **Perceptions and value systems in the northern hemisphere** held by some people may act

against acceptance of community resource management. There was a feeling by some participants in the Working Group that the intrinsic value of wildlife species was threatened by the consumptive use implicit in community wildlife management. The issue of animal suffering was also raised. Proponents of sustainable use in the Working Group recognised the need for more information to be disseminated to allay fears that animal welfare was not paramount in community resource use. However, they felt that sustainable consumptive use was not incompatible with appreciation of the intrinsic values of wildlife.

Question 5

What are the current knowledge gaps regarding the role of local communities in the successful application of CBNRM programmes which contribute to more effective implementation and enforcement of both the Convention and related national legislation?

- (a) As a general principle, successful communal resource management provides the solution to the classic problem of the Tragedy of the Commons (Hardin 1968). Through collective management and self-interest, local communities can fulfil a role in protecting natural resources which is beyond the capacity of governments or international treaties. This fact is seldom appreciated.
- (b) There is a wide variety of communal resource management programmes and each one is unique. Reports containing essential information about such projects tend to be regional rather than global. Information on why projects succeeded or failed is not widely available. However, the increasing power of the internet provides access to an immense body of literature on the subject including individual case studies (a single search on Google for the acronym CBNRM yields over 70,000 results) ... so that it is not justified to claim that information is difficult to obtain.
- (c) In the context of CITES, when Parties are seeking either to alter the listing of species on the Appendices or to contest actions which might be taken under the banner of “stricter domestic measures”, the onus is on the proponents of such motions to provide the information on communal resource management within their countries which the Scientific and Management Authorities of other CITES Parties require to make informed decisions. For the proponent Party, providing such information should entail the fullest cooperation amongst its Scientific and Management Authorities, the affected communities and any NGOs supporting the relevant community institutions.

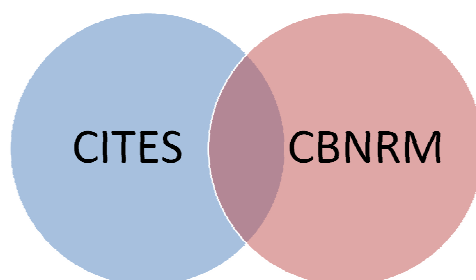
Report
WORKING GROUP 2

Chair: Holly Dublin
Rapporteur: Vin Fleming

**INCOME GENERATION, CONSERVATION OUTCOME AND IMPLICATIONS OF CITES
SPECIES LISTINGS**

GENERAL

- Text not agreed by consensus – range of views
- Symposium title confusing
- Challenge to focus on areas of overlap between CITES & CBNRM but the sum of each much greater than the overlap
- Lots of misconceptions about both CITES and CBNRM
- Good to have this first chance to improve understanding between the two areas



CONTEXT AND QUESTIONS ADDRESSED

Local communities perceive the inclusion of species in the CITES Appendices as an action which restricts use and trade, and hence reduces income generation. Yet, the stable and long-term accrual of income at the local level is likely to be a key factor in the successful management of CITES-listed species by local communities.

Question 1

What are the opportunities for consumptive and non-consumptive uses which generate income at the local community level and do not result in the overexploitation of CITES-listed species?

OPPORTUNITIES

- Good governance is essential - cannot realise any opportunities without an enabling policy / legislative framework – in turn this is heavily dependent upon political will
- Essential (pre)conditions include need to :
 - a) unlock the value of animals and plants through policy reform;
 - b) devolve rights to this value to defined local communities – the more value is devolved the greater the incentive to manage sustainably (by contrast, the more that is retained centrally is equivalent to a tax on use);
 - c) user rights – local vs. national - need to define resource beneficiaries;

- d) be able to exclude external users – tenure over resource essential;
 - e) have regulatory framework to ensure any use is sustainable;
 - f) have a monitoring system in place so government and the community share the same information on the state of, and trends in, the resource;
 - g) apply adaptive management to ensure any use is adjusted for sustainability;
 - h) need to get communities to understand that there must be a link between the benefits they receive and their conservation performance – if not communities do not link benefits to good practice - accountability
 - i) avoid capture of benefits by elites.
- Need to explore entire range of options for use – engage communities in vision for future uses.
 - Opportunities available depend on species/location/political stability – range from ecotourism to trade in live specimens and/or derivatives.
 - Benefits to resource and benefits from the resource are two different things.
 - Payment for existence values – dependent upon external funds – are these sustainable options?
 - Internally or externally driven – home grown or not – does it affect likelihood of sustainability?
 - One way to avoid over-exploitation is through implementing CITES requirements for NDFs

Question 2

Is there demonstrable evidence that CBNRM programmes and associated income generation contribute to improved conservation and sustainable use practices by those same local communities?

EVIDENCE

- Yes (and no)! Good examples of benefits but CBNRM doesn't always work everywhere – equally don't know what would have happened without CBNRM (not many counter-factuals)
- How you judge success depends on objectives of management and related values - these vary between interest groups
- Primary indication of success is stable or improved conservation status of CITES-listed species
- Also benefits from wider ecosystem services and to livelihoods resulting from related habitat protection
- Income generation is only one measure of success - benefits which underpin success are not always monetary and include:
 - a. civic development & education;
 - b. greater empowerment and participation in democratic processes;
 - c. shifts to more positive attitudes and increased tolerance to wildlife;
 - d. greater sense of pride in community identity and their cultural values;
 - e. building links between generations and providing a counter-weight to rural de-population / migration to cities
- Full transparency in supply chain contributes to success of CBNRM – identifies who benefits and at what level?
- Success breeds success – communities look to expand management to other species

- CBNRM a chance to show link between sustainable use of species in CITES context and development objectives (MDGs / UN Millennium Development Goals)
- But difficult for CBNRM to compete with other, often subsidised, land uses (agriculture) especially if income capture is central or through elites
- High commercial values from trade may result in shift of benefits away from local communities - traditional knowledge / controls may be over-ridden or there may be a shift to other production systems (e.g. captive breeding elsewhere)
- Stricter domestic measures within exporting and importing countries – may have significant impacts on success of programmes – communities may feel disenfranchised by these

Question 3

What are the practical implications for local communities and CBNRM programmes when species are included in CITES Appendix I, II or III, or when the Appendices are amended?

APPENDIX I

- App. I listings desirable for some countries / communities if they prefer non-lethal use of species
- Listings with annotations (trophy hunting) have been successful – e.g. leopard, markhor
- But reaction to up-listing of some species (in human-wildlife conflict) could be negative and detrimentally affect the species
- Up-listings may have an impact on revenue generation for some species (e.g. black rhino)
- Elephants have been a major difficulty but an exception in general terms

APPENDIX II

- Can result in higher value for specimens (market demand for known sustainable harvest) but brings administrative burdens – NDFs and permits – and management constraints
- NDFs an onerous task – but requirements not defined – should be relatively simple for well-managed CBNRM?
- Misperceptions about nature of App. II – they are not ‘endangered species’
- What does language in Res. Conf. 8.3 mean (‘impacts on livelihood of the poor’) – no metrics for measurement
- Lots of opportunities for CBNRM – from down-listing or new listings on App. II
- Scope for capacity building and stimulate data collection

GENERAL

- App. III – benefits mostly indirect but could help control illegal trade which diverts benefits from CBNRM
- But App. III often perceived as a precursor to up-listing or trade restriction
- General: ignorance in some perceptions of what CITES does and does not do. Always a negative understanding of CITES (e.g. trade bans, costs of going to meetings to defend positions) – so what can we do to improve the perception of CITES?

- CITES seen as being powerful as does have teeth and does bring limitations (in other words if CITES had no impact / implications then it wouldn't be needed)
- Does CITES have the power or is it the use by others of the power of CITES?
- CITES may have enforcement ability but not necessarily enforcement capacity.

Question 4
How could positive impacts stemming from amendments to the Appendices be enhanced and negative ones mitigated?

ENHANCEMENT / MITIGATION

- Issues need to be addressed at national level – mitigation or enhancement of benefits all require action at national level - cannot be imposed from outside
- Need better stakeholder consultation within countries to enable communities to inform listing decisions and/or their implementation – and need mechanisms to feed in information on impacts on CBNRM of listing proposal
- Pressures for CBNRM need to be brought to bear **within** a country as a democratic process – not something external interests can easily affect.
- Different sectors (of the same Governments / organisations) act antithetically – need better harmonisation / joining up of policies
- Good information available from CBNRM but countries (MA & SA) not always willing to make use of it
- Differences in support for CBNRM among countries & regions – significant (political) barriers to CBNRM development in some countries – makes mitigation of negative impacts and enhancement of benefits difficult
- Capacity building can contribute to enhancement and mitigation opportunities

Report
WORKING GROUP 3

Chair: Colman O’Criodain
Rapporteurs: Katalin Kecse-Nagy, Volker Homes

**IMPACTS OF TRADE RESTRICTIONS AND OTHER EU POLICY MEASURES, AND
COMBINING ADAPTIVE MANAGEMENT UNDER CBNRM WITH CITES NON-
DETRIMENT FINDINGS**

CONTEXT AND QUESTIONS ADDRESSED

Developing countries perceive trade restrictions or suspension adopted by the European Union as having negative impacts on CBNRM programmes. Furthermore, identifying or gathering the scientific and technical information needed to comply with the provisions of Article IV of CITES (non-detriment finding) often poses real challenges for exporting countries.

Question 1

What is the impact of domestic measures adopted by importing countries, e.g., the United States and the European Union, on compliance with Article IV requirements of the Convention and to the sustainable use of affected species?

- The intrinsic pros and cons of stricter domestic measures were discussed. However, the Treaty allows for these, although it was noted that there is an on-going discussion in CITES as to when and how they should be applied.
- There was some discussion of EU stricter domestic measures that have a veterinary rationale but it was agreed that the focus should be on import regulatory measures that have a conservation rationale.
- The differences of approach regarding the stricter measures of the EU and USA stricter measures were noted – the USA measures are less flexible.
- The EU stricter domestic measures can have positive impacts, leading to recovery of affected populations, improved conservation management and better awareness of NDF requirements in exporting countries.
- They can also facilitate wider initiatives in CITES – e.g. incorporation of species into the Significant Trade Review. There is a strong convergence between EU decision on import restrictions and recommendations concerning the same species/countries in the Significant Trade Review.
- However, these positive conservation impacts are often strongest where the trade is more organized and is represented by organizations in the EU.
- However, EU stricter domestic measures can also have negative impacts leading to loss of revenue and possible loss of motivation to conserve the wild species and its habitat. Moreover, in some circumstances, EU restrictions can simply cause the trade to shift to other export markets. Alternatively, the supply can be met from captive bred sources, with the risk of false declarations or the loss of the motivation to conserve the wild species and its habitat.

- Communication between the EU and stakeholders in range States is many times poor, largely due to poor communication within the range State (between the Management authority and local stakeholders). Stakeholders sometimes find EU requirements confusing.
- Of the presentations in plenary, with the exception of the Argentina example (*Amazona aestiva*) – where the rationale for the restriction was veterinary and where there had been a previous positive scientific assessment, no other negative impacts of EU stricter measures were noted in the cases presented.
- The flexibility of the EU legislation allows it to incorporate CITES outcomes – e.g. implementing Significant Trade Review recommendations.

Question 2

What information/input does the European Union need in order to take well informed decisions concerning potential trade restrictions or suspensions?

- The EU bases its decision on the guidelines that it issues to its own Scientific Authorities but it was agreed that these should be made more widely available and should be supplied to range States that are subject to stricter domestic measures.
- The Scientific Authority guidelines address such issues as biological factors, harvest methods, population management, enforcement and any potential benefits of trade.
- The EU considers its approach as precautionary but pragmatic.
- It was suggested that there is scope for more transparency in EU decision-making but it was also noted that the EU is now making relevant meeting documents publicly available.
- There is a need for more capacity building in range States, even though the European Commission and some EU Member States already provide support through the CITES Secretariat and other channels.
- The EU in some cases receives contradictory information from various sources and must then take a precautionary approach.
- (The EU's requirements for Appendix II species that are protected by the EU Habitats and Birds Directives are equivalent to those of CITES Appendix I.)

Question 3

What can enhanced bilateral or multilateral cooperation contribute to prevent decisions by the European Union that might affect successful CBNRM programmes?

Where community projects are underway that are considered biologically sustainable, it was suggested that these should be brought to the attention of the EU and other CITES Parties - preferably but not necessarily channelled through the relevant Scientific or Management Authorities.

Questions 4 & 5

How did European Union proposals for amendments to the Appendices and related annotations as well as its positions on proposals by other Parties at meetings of the Conference of the Parties to CITES, impact on CBNRM programmes?

AND

How can such impacts be taken into account in the formulation of and argumentation for such EU positions?

- The EU's own proposals in the last 10 years are not of significance in this regard.
- Over the last 10 years the EU has had to take positions on other proposals brought to CoP meetings, including:
 - African Elephant, African Lion, Black Rhino, Polar Bear, Nile Crocodile, Vicuna and Leopard.
- Different views on positive or negative impacts of EU positions on the CBNRM programmes were expressed by participants although it was noted that there is no systematic monitoring and evaluation of these impacts in most cases and there was no basis for concluding that the overall conservation impacts were predominantly either positive or negative.
- For example, in the case of EU position on Tanzania and Zambia elephant down-listing proposals those who supported the proposals would argue that there have been negative conservation consequences including for CBNRM programmes in those countries as a result; on the other hand, those who opposed the proposals would argue that their adoption would have had wider negative conservation consequences including for some CBNRM programmes.
- EU representatives assured the group that they reflected on the CBNRM programmes but also had to take other factors into account, such as biological and trade criteria, and enforcement considerations.

Question 6

How can the European Union maximize the positive impacts and minimize the negative impacts of its policy measures on existing, successful CBNRM practices?

- This was implicitly answered in other questions to some extent.
- However, one would need to cross-reference with other groups regarding the criteria for successful CBNRM.
- Beyond EU CITES policies, EU policies on overseas aid and veterinary issues, etc. would have to be taken into account.

Question 7

How can the adaptive management of Appendix II species under CBNRM programmes be made mutually compatible with and supportive of CITES requirements for NDFs?

- This is a wider question which does not only refer to the EU and so is relevant to other working groups.
- Insofar as it is relevant to the EU refer to Question No2.

- It was noted that the NDF is a fundamental requirement for trade in Appendix II specimens.
- The group was informed that when EU has evidence that a species is under a CBNRM regime this can contribute to a positive decision in terms of allowing imports.
- Capacity building programmes would need to be supported.
- CBNRM programmes should have regard to available information on NDF requirements, such as EU Scientific Authority guidelines, the IUCN NDF checklist and the outcomes of the Cancun NDF workshop.

Report
WORKING GROUP 4

Chair: Trevor Salmon
Rapporteurs: Marcel Nijnatten

**CBNRM AND INTERNATIONAL GOALS, POLICIES AND INITIATIVES FOR
BIODIVERSITY: RELEVANCE AND INTERDEPENDENCE**

CONTEXT AND TASK

The operation of CITES is guided by its Strategic Vision 2008-2013 (Resolution Conf. 14.2), and benefits from cooperation between CITES and other conventions and organizations. Keeping in mind the overall aim of contributing to the conservation and sustainable use of biological resources, how can the final findings and conclusions of this symposium best contribute?

Noting that the task of the group was to assess the contributions that the findings of the Symposium could make before those findings had been made, the working group agreed some working assumptions.

Working assumption(s)

1. CBNRM (whether consumptive or non-consumptive) can assist in the conservation and sustainable use of CITES listed species
2. CBNRM is already taking place.
3. The outcomes of the Symposium will influence the EU in how it decides how to engage with CBNRM, after SC61.
4. There needs to be a consistent understanding of what CBNRM is or agreement on an alternative term. E.g. Locally led management of natural resources for local access and benefits and sustainability.

The working group agreed the following modus operandi in considering its task:

It would consider opportunities and linkages already available, or likely to become available, that may assist the understanding and use of CBNRM so that, where relevant, it can contribute to improved implementation of CITES and an improved understanding and utilization of the concept as a tool to assist in such implementation.

It would seek to focus on possible mechanisms within existing instruments that could improve knowledge and utilization of CBNRM in a way which could benefit CITES listed species.

It would review mechanisms to identify potential or actual beneficial linkages, opportunities for a greater EU focus, and where possible temporal opportunities.

ABBREVIATIONS USED

ABS	The Nagoya Protocol on Access and Benefit Sharing
ABS ICNP	Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing
AHTEG	Ad Hoc Technical Expert Group
BLG	Biodiversity Liaison Group
CBD	Convention on Biological Diversity
CBNRM	Community-Based Natural Resource Management
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention for Migratory Species
CoP	Conference of the Parties
EBS	European Biodiversity Standard
EU	European Union
FAO	Food and Agricultural Organization
GBO	Global Biodiversity Outlook
GEF	Global Environment Facility
IAS	Invasive Alien Species
ICNP	International Conference on Network Protocols
IPBES	Intergovernmental Panel on Biodiversity and Ecosystem Services
IUCN	International Union for the Conservation of Nature
MEA	Multilateral Environmental Agreement
MoP	Meeting of the Parties
MoU	Memorandum of Understanding
NBSAP	National Biodiversity Strategy Action Plan
ODA	Official Development Assistance
PA	Protected Area
RAMSAR	Convention on Wetlands
REDD	Reduced Emissions from Deforestation and Degradation
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
SC	Standing Committee of CITES
TEEP	The Economics of Ecosystems and Biodiversity
UNCCD	United Nations Convention to Combat Desertification
UNCTAD	United Nations Conference on Trade and Development
UNEP-WCMC	United Nations Environment Programme – World Conservation Monitoring Centre
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
WHC	World Heritage Centre

Key Relevant MEAs and Institutions considered:

- a. The CITES Strategic Vision: 2008-2013;
 - *the Strategic Plan for Biodiversity 2011 – 2020 adopted at CBD COP10, in particular the Aichi Biodiversity Targets 2020;*
- b. Existing Memoranda of Understanding between CITES and other international organizations such as
 - *the Convention on Biological Diversity;*

- *the Convention on the Conservation of Migratory Species of Wild Animals*; and
 - *the Food and Agricultural Organization of the United Nations*;
- c. Other Instruments:
- *Ramsar*;
 - *IUCN*;
 - *UNESCO/WHC*;
 - *UNCTAD and*
 - *International Treaty on Plant Genetic Resources*
(*nb. In plenary, UNCCD and UNFCCC also mentioned*)
- d. the IPBES (Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services);
- e. the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS).
- f. EU ODA (“Official Development Assistance”) cooperation

Opportunities for greater cooperation between CITES and CBD programs and structures
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Overview

The CITES Strategic Vision is in the process of being reviewed to take account of the outcomes of CBD CoP10 and the Aichi targets. At the same time countries are developing their NBSAPs to take account of broader biodiversity MEA and development imperatives and the time is ripe to consider if and how CBNRM can appear in these NBSAPs.

Numerous CBD Decisions have elements that are relevant to CBNRM (see below) and with EC leadership better linkages in Brussels and across the EU between CBD and CITES programs there are opportunities to see how CBNRM and CITES can be better embedded in action to deliver those CBD Decisions.

EU (temporal) considerations

The outcomes of the Symposium are unlikely to be able to influence discussions at CITES SC61 but the EU could consider how to subsequently engage with the process agreed to take forward the development of the CITES Strategic Vision’s goals, objectives and indicators.

Several CBD initiatives and Decisions incorporate opportunities to enhance the understanding and implementation of CBNRM:

- Art 8j and Decisions X/40 to X/43 – 8j expert group meeting at end of May 2011 provides an immediate opportunity to place CBNRM on the table for consideration;
- Decision X/6 Poverty eradication: expert group meeting on biodiversity and development November 2011 in India;
- X/17 Global strategy for plant conservation;
- X/20 – Cooperation with other MEA;

- X/21 business engagement;
- Sectoral Decisions – i.e. Inland waters (X/28); semi humid aridlands (X/35); invasive alien species (X/36);
- X/31 – Protected Areas (noting the current review of country PAs and the incorporation of these, and especially community managed, PAs into NBSAPs (GEF funds available);
- X/32 Sustainable use: promotion of ecological/production landscapes (NB. Satoyama fund);
- X/36 Forestry: Elements of bushmeat and REDD particularly relevant; and
- X/44 incentive measures.

CBD related meetings which may provide an opportunity to consider the relevance of CBNRM:

- May 2011 – Art 8j expert group
- June 2011 - ABS ICNP meeting
- 7-10 June 2011 (Nairobi) Joint meeting of the Liaison group on bushmeat and the CITES central African bushmeat liaison group
- 20-24 June 2011 (Wycombe, UK): AHTEG on indicators for the Strategic Plan
- 5-7 July 2011 (St. Louis, USA): International Conference on Global Strategy for Plant Conservation
- 7-11 November 2011 (Montreal): 15th meeting - on agenda: restoration; sustainable use (bushmeat) incentives; IAS; inland waters
- 22-25 November 2011 (Dehradun, India): Expert Group on Biodiversity for poverty eradication and for development.
- 30 April - 4 May 2012 (Montreal): SBSTTA (on agenda: island biodiversity; GBO-4; marine and coastal biodiversity; climate change etc)
- 7-11 May 2012: Ad-hoc working group on review of implementation of the CBD.

Broader Biodiversity MEA opportunities

Decisions taken in Nagoya to encourage greater Party involvement in the Biodiversity Liaison Group provide an opportunity for the EU to consider the BLG, after SC61, as a mechanism to initiate a discussion of CBNRM concepts and their integration and application across the MEA.

Review of CITES Strategic Vision

It is unclear yet how this will proceed and whether the current Vision will be extended beyond 2013 or whether a new one (cognizant of the CBD Strategic Plan and targets) will be developed.

In either event, the EU could consider looking to see how, post SC61, the spirit of objectives 3.4 and 3.5 can be enhanced to better embrace and enable CBNRM as an additional tool to assist in the implementation of CBNRM where it can be of assistance.

Review of Delivery of CITES Decisions 15.5 - 15.7 on livelihoods

The EU could encourage the SC working group established under Decision 15.5 to consider CBNRM as an additional tool.

Broader EU Measures

European Biodiversity Strategy

It was not clear to the working group how the recently published EBS (European Biodiversity Strategy) took account of the community facing elements of the Strategic Plan for Biodiversity (2011-2020) and its targets contained under Strategic Goal E (especially targets 17 and 18), and the EU could be encouraged to review this with a view to sharing its experiences with the CITES Parties. As well as its own actions, the lessons learnt by the EU from South-North exchanges such as the Dutch “Rewilding Europe” programme should be learnt and shared. The EU could set an example in following through the Aichi Goals and Targets in the EBS and in Member State NBSAPs, being cognisant of local community interests.

(nb. In plenary examples given of lack of coherence between DGs Environment and DGs Agriculture and Development, plus the benefit of considering CBNRM sources for products otherwise blocked or limited to big-business)

Ramsar Convention

No MoU between the CITES and Ramsar currently exists but with the latter’s sites based focus, and therefore local based implementation, a dialogue between the two Conventions to share experiences of CBNRM could be encouraged and to see how CITES listed species can benefit from improved cooperation.

EU (temporal) consideration

Ongoing.

IUCN

(International Union for the Conservation of Nature)

There is an existing, but old, MoU that was not specific to work plan issues but which rather just deals with straight relations between the two Secretariats. CITES and IUCN are currently reviewing MoU. IUCN has a considerable species focus and local experience.

EU (temporal) considerations

EU could consider the opportunity presented by the forthcoming IUCN World Congress, in October 2012, to further promote CBNRM (and for the outcome of that to feature in any revised MoU). The regional meetings could be used to facilitate this process.

Convention on Migratory Species

Existing MoU between the two Conventions already exists, and it includes a joint work program that is currently being updated. There exists clear common interest in shared species and in on the ground CBNRM. The Annex to the MoU includes activities related to shared species and other substantive

information that may be of mutual interest (e.g. on projects, activities, data, documents, reviews, etc.) and could identify priority issues for both Secretariats, under which CBNRM is not currently mentioned. Cooperation also exists with several CMS agreements, some of which already include CBNRM elements.

EU (temporal) opportunities

CMS CoP10 in November 2011 will be an opportunity for the EU to consider raising the outcomes of the Symposium to ascertain what opportunities for improved cooperation are present that could result in successful CBNRM projects and better embedding of the concept in both Convention's implementation processes.

FAO (Food and Agricultural Organization)
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An MoU, which currently focuses on fisheries, already exists. A new broader MoU, which will inter alia cover forestry and wildlife, is nearing conclusion between the two Secretariats. FAO works at the grassroots in rural areas, on issues such as underutilized crops, sustainable diet, bushmeat etc. CBNRM is a concept which FAO recognizes and embraces where possible. The two work programs should therefore complement each other in these areas.

EU (temporal) considerations

With the revised MoU nearing conclusion between the two Secretariats, the EU has an opportunity to carefully consider the draft when it becomes available to assess whether it is friendly to the concept of using CBNRM as an additional implementation tool.

UNESCO (United Nations Educational, Scientific and Cultural Organization)

No MOUs currently exists but the World Heritage Convention is a member of the Biodiversity Liaison Group. The cultural rationale for the WHC lends itself to CBNRM but this is underdeveloped. Potential lessons can be learnt from the establishment and maintenance of UNESCO MAB biosphere reserves, which are living working protected areas with a core, buffer and transition zone. The EU could benefit from reviewing MS experiences with biosphere reserves for utilization as evidence in the CBNRM debate.

EU (temporal) consideration

Opportunistic

UNCTAD (UN Conference on Trade and Development)

UNCTAD is the focal point within the UN for the integrated treatment of trade and development and the inter-related issues in the areas of finance, technology, investment and sustainable development. A cooperative MoU between CITES and UNCTAD, particularly its BioTrade initiative, exists. The main purpose of this cooperation is to ensure the conservation of species, enhance the livelihoods of poor people in remote and marginal areas and promote business opportunities for entrepreneurs that comply with CITES requirements and national legislation. The relevant EU institutions could consider increasing their engagement with UNCTAD, based on the outcomes of this symposium.

EU (temporal) consideration

Ongoing

International Treaty on Plant Genetic Resources

Again the Treaty is part of the Biodiversity Liaison Group. It has a focus of an ABS style exchange system of plant genetic resources of crops, with its Article 6 referring to sustainable use. A mapping exercise by the EU of its related genetic resources work could be helpful to identify experiences of CBNRM.

EU (temporal) opportunities

Ongoing

UNEP/WCMC

(United Nations Environment Program – World Conservation Monitoring Centre)

A tri-annual work program is being developed by WCMC and the CITES Secretariat which may provide opportunities to consider the benefits and opportunities for CBNRM in CITES implementation.

EU (temporal) opportunities

To await sight of the work program

IPBES

(Intergovernmental Platform on Biodiversity and Ecosystem Services)

The opportunities contained at paragraphs 6d and 6h of the Busan declaration are highly relevant and the EU can encourage their retention and development. This would provide an opportunity for the socio-economic aspects of biodiversity conservation to be supported by IPBES.

However, it is accepted that IPBES should not compete with, or duplicate, the existing scientific advice where this is already delivered satisfactorily, including that under CITES provided by the AC and PC and by Parties when proposing listings or Resolutions, but rather fill gaps or complement existing mechanisms.

EU temporal opportunities

Two further IPBES preparatory meetings are likely to take place in autumn 2011 and spring 2012.

TEEB

(The Economics of Ecosystems and Biodiversity)

The TEEB reports' follow up pilot exercises have the potential to provide input on the value of biodiversity and its management in the context of CBNRM.

EU temporal opportunities

Pilot studies into the utility of TEEB are currently taking place.

The Nagoya Protocol on Access and Benefit Sharing (ABS)

The principles of the Nagoya Protocol clearly have the potential to be highly relevant to the interests of local communities.

EU (temporal) considerations

Two pre-MoP ICNP meetings are expected. The first is in June 2011, and a second is expected in 2012 (prior to the anticipated 50th ratification and coming into force of the Protocol). The 2012 meeting may provide an opportunity to gain some consideration of CBNRM principles under the agenda item on global benefit sharing mechanism, especially if some case studies can be presented.

EU ODA
(Overseas Development Aid Programs)

The current review of the EU ODA Strategy (Official Development Assistance), and the interest there to better integrate environment and development cooperation, provides an opportunity to consider embracing CBNRM further within ODA.

EU (temporal) consideration

The Strategy is due to be published/concluded in late 2011. If too late to influence this, DG Environment could consider how to assist the implementation of CBNRM in its roll-out, where it can be useful and of assistance.

Inherent challenges, including those at the EU and MS level

- There exists a lack of coherence across relevant policies.
- In the light of financial and mandate constraints, cooperation and dialogue between Secretariats and/or Party's focal points are needed to ensure successful implementation of measures. A greater focus on outputs would benefit all.
- If local people are not engaged before a listing decision is taken it can result in a lack of ownership of the implementation. It also misses the opportunity to take account of local knowledge. The aspirations of target groups need to be taken into account in decision making, to maximize the chances of successful implementation

Summary Conclusion

There exist numerous opportunities within biodiversity MEA, and related institutions, for wider consideration of the use of CBNRM to better achieve the implementation of CITES. The EU could consider all of those identified by working group 4, with a view to supporting its use where beneficial to delivering biodiversity conservation and sustainable use, to enable a broad evidence based evaluation of its utility at CITES CoP16 and beyond.