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**Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and the UN Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT)**

*(Thursday 22<sup>nd</sup> and Friday 23<sup>rd</sup> June 2017)*

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**Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)**

*Prepared by the Bern Convention Secretariat and the CMS Secretariat*

At the first MIKT meeting which took place in Cairo in 2016, a Programme of Work 2016-2020 was adopted, which foresaw the development of a scoreboard as a high priority action to measure and allow benchmarking of concrete progress on the eradication of IKB at national level. Another high priority action was to harmonize reporting formats and periodicity under the CMS COP and the Bern Convention TAP, in order to avoid duplication and extra burdens on member countries. The CMS reporting system, which is more a general report on different issues will continue to operate between COPs.

The need to develop such a tool to be used jointly by the Bern Convention and CMS was also raised by the Chair of the Special Focal Points Network of the Bern Convention at the 36th meeting of the Standing Committee to the Convention in November 2016. The Standing Committee welcomed the increased coordination efforts shown in the past years by different organizations, Conventions and stakeholders, aimed to increase synergies in the work of their respective platforms and initiatives, as these efforts support the implementation of the TAP.

The present IKB Scoreboard proposal is intended to provide the national governments with a tool that, when endorsed by the Bern Convention and CMS, would be an internationally recognized method to provide an objective, fact-based assessment of the current status of illegal killing of birds at national level, and measure the progress of the implementation by States of their commitments related to this area.

***Action requested:***

The Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) is requested to review and adopt this document, considering the feasibility for the relevant national authorities to provide the required information in the proposed in the 28 indicators.

# Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)

Draft 3.1

30 May 2017

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## Aim of the IKB Scoreboard

Over the past few years, the issue of illegal killing of birds (IKB)<sup>1</sup> has steadily gained prominence on the international agenda. This prominence became embedded within a number of high profile international instruments and commitments, including those adopted under the framework of the Bern Convention, CMS and CITES, as well as within a plethora of initiatives spurred by the EU. The Bern Convention Tunis Action Plan (TAP), the EU Roadmap on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds, the EU Action Plan Against Wildlife Trafficking and the CMS Mediterranean Task Force on Illegal Killing, Taking and Trade of Migratory Birds (MIKT) are amongst the main examples of such commitments. A common feature of such instruments is that they often envisage regular monitoring of progress.

At the first MIKT meeting which took place in Cairo in 2016, a Programme of Work 2016-2020 was adopted, which foresaw the development of a scoreboard as a high priority action to measure and allow benchmarking of concrete progress on the eradication of IKB at national level. Another high priority action was to harmonize reporting format and periodicity under the CMS COP and the Bern Convention TAP, in order to avoid duplication and extra burdens on member countries. The CMS reporting system, which is more a general report on different issues will continue operate between COPs. On the other hand, the Scorecard reporting system is focused on a specific problem that needs to be addressed as soon as possible. The need to develop such a tool to be used jointly by the Bern Convention and CMS was also raised by the Chair of the Special Focal Points Network of the Bern Convention at the 36<sup>th</sup> meeting of the Standing Committee to the Convention in November 2016. The Standing Committee welcomed the increased coordination efforts shown in the past years by different organizations, Conventions and stakeholders, aimed to increase synergies in the work of their respective platforms and initiatives, as these efforts support the implementation of the TAP. Besides formal reporting by national administrations, this monitoring process is also supported by studies carried out by various non-governmental stakeholders. The recent study to estimate the extent of IKB in the Mediterranean led by BirdLife International is an example of such an initiative.

The present IKB Scoreboard proposal is intended to provide the national governments with a tool that, when endorsed by the Bern Convention and CMS, would be an internationally recognized method to provide an objective, fact-based assessment of the current status of illegal killing of birds at national level, and measure the progress of the implementation by States of their commitments related to this area.

The indicators framework has been developed with the view of offering to the national administrations a simple tool, which, given the complexity of the issue at stake, is easy to compile and interpret.

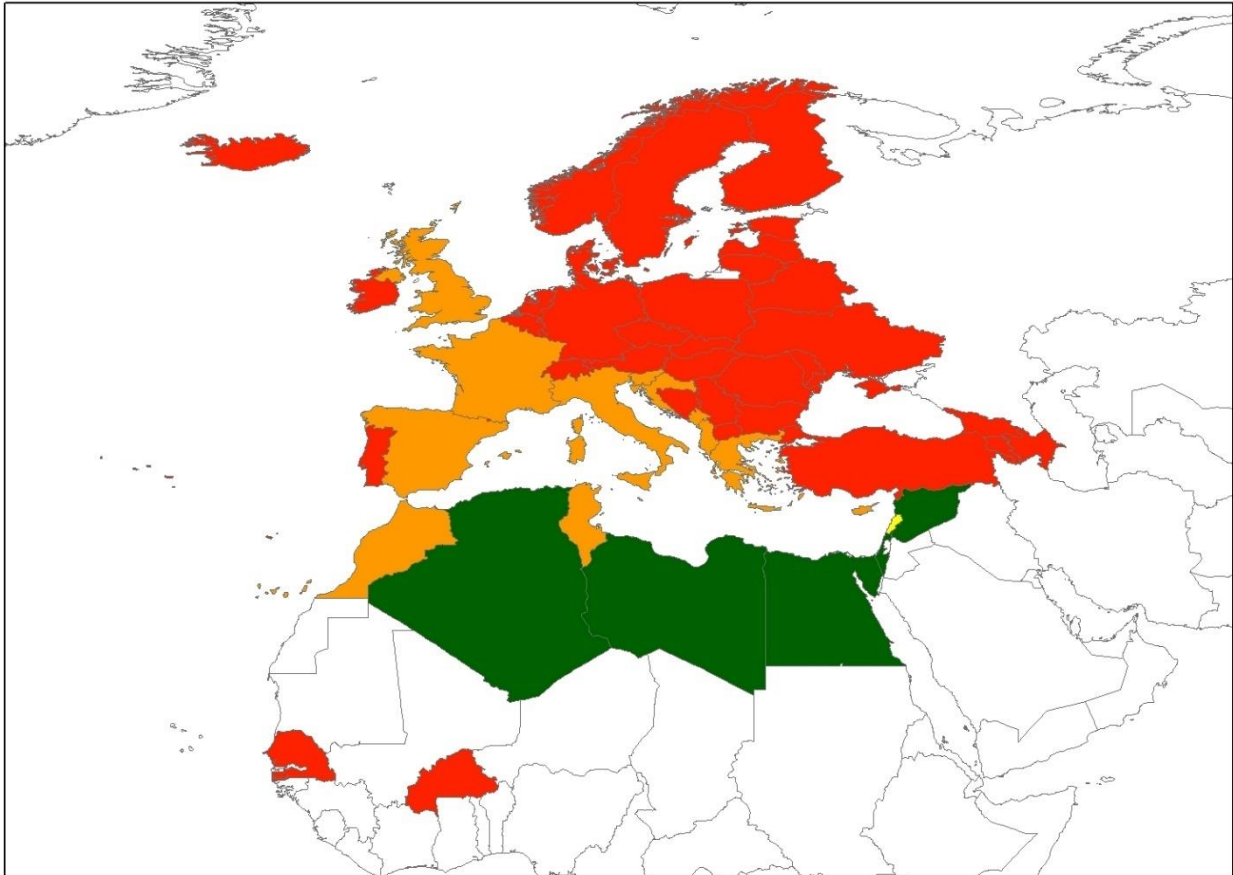
The present scoreboard is largely based on the format previously developed by the International Consortium in Combating Wildlife Crime<sup>2</sup> which provided an Indicator Framework for Combating Wildlife and Forest Crime. However, this format required a number of changes and adaptations, in order to focus on the specific requirements for the assessment and measurement of IKB, as opposed to a general assessment of the state of affairs with regard to international wildlife trade, of which IKB is only a limited component.

The IKB Scoreboard makes it possible to monitor progress not only at the national level but also on a regional scale, significantly contributing to prioritization and commitment of resources by national administrations, NGOs and supra-national bodies.

<sup>1</sup> IKB is defined for the purpose of this Scoreboard as: those unlawful activities committed intentionally resulting in the death, injury, disturbance or removal of specimens of wild birds from the wild either dead or alive, including their parts or derivatives.

<sup>2</sup> <https://cites.org/eng/prog/icwc.php>

It offers the national authorities an opportunity to show leadership and the capacity and willingness of being proactive and transparent regarding their efforts to tackle an issue which is far more common than previously recognized. The process leading to its compilation, as described in the next pages, promotes cooperation and sharing of experience and know-how between governmental bodies and national stakeholders. The cooperation developed among stakeholders and the information gathered for compiling the scoreboard can be the basis for the development of a national action plan. Additionally, if a national action plan has already been developed the scoreboard can be used to monitor its implementation at national level.



**Picture 1** - The geographical scope of the present document is the entire area covered by the Bern Convention and MIKT. In Orange, the Bern Convention Contracting Parties and members of MIKT; in Red, the Bern Convention Contracting Parties and observers<sup>3</sup> of MIKT; in Green, members of the MIKT and not Contracting Parties to the Bern Convention; in Yellow, other observers of MIKT, and not Contracting Party to Bern Convention.

Furthermore, the IKB Scoreboard provides the opportunity for national administrations, as well as for various stakeholders at national and international level, to raise political profile, commitment and mobilization of resources towards the eradication of IKB.

At international level the IKB Scoreboard promotes collaboration and sharing of experience because several countries facing the same obstacles in improving their scores in a particular area may want to work together to define strategies, deliver training and share experiences.

<sup>3</sup> Observers of MIKT are referred to Interested Parties and/or Non-Parties to CMS (namely, Germany, Portugal, Bosnia-Herzegovina and Turkey).

## Overview of the Scoreboard

The indicator framework which forms the backbone of the Scoreboard to assess progress on the eradication of IKB is organized in five areas each looking at a specific aspect of the fight against IKB:

- A. National monitoring of IKB (management of data on scope and scale of IKB) – 4 indicators
- B. Comprehensiveness of national legislation - 9 indicators
- C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions) - 6 indicators
- D. Prosecution and sentencing (effectiveness of judicial procedures) – 4 indicators
- E. Prevention (other instruments used to address IKB) – 5 indicators

The 28 indicators represent the critical areas to monitor in order to determine the effectiveness of a national response to IKB.

The first group of indicators provides an insight into the extent of and knowledge of the scale of IKB at national level looking at the number of cases prosecuted as well as the number of birds illegally killed, taken or traded per year.

The second group of indicators assesses the extent to which the national legislation addresses IKB, regulates the taking of wild birds and incorporates international law and commitments.

The third group of indicators explores the enforcement responses to IKB in terms of the existence of a plan of actions with appropriate priority shared among law enforcement agencies properly trained and staffed resulting in cases prosecuted.

The fourth group of indicators seeks to investigate the effectiveness of the judicial system against IKB which should be aware of the seriousness of IKB and properly trained to deliver appropriate penalties in line with international guidelines.

The final group of indicators looks at other instruments useful in reducing IKB such as public awareness, addressing drivers of IKB, international coordination and stakeholder engagement.

**Table 1 – The indicators in the IKB Scoreboard**

<b>A. National monitoring of IKB (data management of scope and scale of IKB)</b>	<b>1. Extent of IKB cases known to justice</b> The extent to which data on illegal activities at national level are available
	<b>2. Number of IKB cases prosecuted in the last year</b> The extent of cases of IKB persecuted in the last year
	<b>3. Status and scale of IKB</b> The extent to which data on illegal activities at national level are available
	<b>4. Number, distribution and trend of illegally killed, trapped or traded birds</b> The extent, trend, seasonal and geographic distribution of illegally killed birds in your country including overseas territories
<b>B. Comprehensiveness of national legislation</b>	<b>5. National wildlife legislation</b> The comprehensiveness of national legislative provisions in force for wildlife conservation, management and use, including prohibition of IKB
	<b>6. Hunting legislation</b> The comprehensiveness of national legislation concerning sustainable use of wildlife
	<b>7. Prohibitions under national legislation</b> The extent of activities forbidden under national legislation
	<b>8. Exceptions under national legislation</b> The extent of regulatory scrutiny concerning any authorization of exemptions
	<b>9. Sanctions and penalties</b> The extent to which penalties for IKB are comprehensive
	<b>10. Proportionality of penalties</b> The extent to which severity of IKB cases is reflected in the relevant national legislation
	<b>11. Use of criminal law</b> The extent to which a combination of relevant national legislation and criminal law are used to prosecute IKB in support of legislation enacted to combat wildlife crime
	<b>12. Organized crime legislation</b> The extent to which specific legislation to address organized crime is used to combat IKB
	<b>13. Transposition of international law and commitment to national legislation</b> The comprehensiveness of national legislative provisions to transpose the State's international commitments related to IKB
<b>C. Enforcement response (preparedness of law enforcement bodies and coordination of</b>	<b>14. National Action Plan for combating IKB</b> The existence of a national strategy or action plan for IKB
	<b>15. Stakeholders and Policy-making</b> The level of stakeholder participation to IKB-related policy-making
	<b>16. Enforcement priority</b> The recognition of combating wildlife crime as a high priority for national law enforcement agencies



<b>national institutions)</b>	<b>17. Staffing and recruitment</b> The level of staff resources in national law enforcement agencies to combat wildlife crime
	<b>18. Specialized training</b> The percentage of enforcement officers trained per year in IKB-related aspects
	<b>19. Field enforcement effort</b> The intensity of efforts devoted by law enforcement agencies to combat IKB
<b>D. Prosecution and sentencing (effectiveness of judicial procedures)</b>	<b>20. Quality of judiciary processes</b> Effectiveness and efficiency of administration of sanctions for IKB offences
	<b>21. Sentencing guidelines</b> The existence of national guidelines for the sentencing of offenders convicted for wildlife crime
	<b>22. Judicial awareness</b> The extent of awareness of wildlife crime among the judiciary and the appropriateness of the verdicts handed down
	<b>23. Judiciary training</b> The percentage of judiciary trained in IKB-related aspects
<b>E. Prevention (other instruments used to address IKB)</b>	<b>24. International cooperation</b> The extent to which national institutions take advantage of the international initiatives and working groups on IKB
	<b>25. Drivers of wildlife crime</b> The extent to which the drivers of IKB in the country are known and understood
	<b>26. Demand-side activities</b> The extent to which activities to address the demand of illicit wildlife products are implemented
	<b>27. Regulated community</b> The extent of awareness-raising materials and/or programmes are in place to increase the awareness of the regulated community, of the laws that apply to the sustainable use of wild birds
	<b>28. Public awareness actions</b> The extent of awareness-raising materials and/or programmes are in place to increase public awareness of IKB

## How to use the IKB Scoreboard

### The process

The IKB Scoreboard provides a method for the systematic gathering of appropriate information at a national level, and its subsequent analysis at the wider regional / international level to enable comparison and identification and sharing of any methods that have been particularly effective or shared challenges or deficiencies that require further concerted action to be addressed.

The assessment aims to monitor the progress toward the implementation of the Tunis Action Plan and the MIKT Programme of Work; it should therefore be completed annually by all Contracting Parties.

Although the primary input to the Scoreboard consists of a self-assessment by the responsible national administrations, the individual country assessment results, as well as the resulting aggregated scoreboard ranking at a wider regional and international level, should be subject to further peer review by other States, international institutions and other stakeholders. For maximum accuracy and objectivity, it is recommended that the assessment is completed in a collaborative process with the participation of staff from relevant law enforcement agencies, such as the wildlife regulatory agency and the relevant law enforcement bodies including non-governmental stakeholders such as the regulated communities<sup>4</sup> and conservation organizations.

The process described below would fit well in the development process of a national action plan as the relevant stakeholders (both governmental and non-governmental) would be the same and the data and its analysis would provide the knowledge on the current situation that will offer the benchmark for monitoring future progress. A detailed step-by-step guide is set out in Table 2.

**Table 2** - Conducting an assessment using the IKB Indicator Framework – a step-by-step guide

<b>Planning</b>	<p><b>1. Identify the lead agency and establish a project team</b></p> <p>Each assessment will typically be undertaken by a lead agency. To ensure collaboration of other key agencies involved in combating IKB an inter-agency team should be established.</p>
	<p><b>2. Identify the relevant stakeholders and experts to be involved</b></p> <p>It is recommended that the process of assessment at the national level should ideally involve all relevant stakeholders including NGOs.</p>
	<p><b>3. Secure resourcing needs</b></p> <p>It is recommended that the allocation of necessary resources to the assessment exercise is planned in advance.</p>
<b>Data collection</b>	<p><b>4. Identify data needs</b></p> <p>The vast majority of the indicators require expert assessments, the review of legislation and procedures and, in a few cases, the collation and analysis of data. The availability, accessibility and related costs need to be considered at an early stage in order to facilitate timely access to the required data.</p>
	<p><b>5. Request data</b></p> <p>In some instances data may be under custodianship of other agencies and a formal access request will need to be submitted. The first attempt at assessment may flag areas where important data are not currently being recorded. Steps should be taken as early as possible to ensure that data needs are addressed.</p>
	<p><b>6. Gather and review documentation</b></p> <p>A number of questions require the review of documentation, operational processes or data. Such documentation should be gathered and reviewed as soon as possible before the collaborative assessment and workshop.</p>

<sup>4</sup> The regulated community could include harvesters, traders and/or any individual or group that is issued a permit and/or licence to take, use and/or trade in wild birds and their products, and/or that conducts business activities related to the trade in wild birds.

	<p><b>7. Conduct workshop to complete expert based assessment</b></p> <p>It is recommended that a workshop be conducted to review and rate the assessment indicators. The participants should represent the relevant agencies and stakeholders identified in step 2. It is recommended that the assessment template be shared well before the workshop.</p>
<p><b>Analysis and recording at the national level</b></p>	<p><b>8. Analyse results</b></p> <p>The majority of the IKB indicators are scored allowing for an overall score for each of the 6 groups to be generated. Comparing the scores between the 5 groups can help in the identification of the relative strengths and weaknesses of the current response to IKB. An overall score will also be calculated. In the first assessment the initial benchmarking rating will be generated. After the second and third assessments and overall score, it will be possible to identify and explore trends.</p> <p><b>9. Identify process improvements</b></p> <p>The project team should consider the process followed and identify and briefly document any change or improvement that should be incorporated in the future assessment informing the Bern Convention and CMS Secretariats.</p>
<p><b>Reporting, peer review, and aggregation of scoreboard at international level</b></p>	<p><b>10. Peer review</b></p> <p>The results will be reported to Bern Convention and CMS Convention Secretariats. Results will be aggregated and circulated for peer review by the representatives of Bern Convention SFP Network and MIKT. Comments will be considered only if substantiated. The peer review may involve obtaining of necessary clarifications or further data from national authorities.</p> <p><b>11. Final publication and dissemination</b></p> <p>The Convention Secretariats shall aggregate and publish final Scoreboard and individual country responses. Upon adoption by the SFP and MIKT, the final aggregated Scoreboard shall also be reported to Bern Convention Standing Committee and CMS COP, and widely disseminated.</p>

The use of self-assessment indicators at the national level

Most indicators are measured using the opinions of experts from relevant national law enforcement agencies and other stakeholders as appropriate. Each of these expert-based assessment indicators provides a question followed by a four-part answer scale, with each answer typically containing multiple components. While related, these components are listed separately so that experts can evaluate each component individually to identify those that best match the national situation. After considering the different components of an answer it is then possible to identify which of the four answer ratings – listed from 0 to 3 – best represents the national situation. In some instances it may be less obvious which of the four ratings to choose. A brief written justification of the choices should be included in the comments under each indicator. This text will be used during the peer-review process. Some guidance that can be followed in these situations is provided in the following scenarios.

Scenario 1: Single rating

In the simplest scenario, participating experts will choose components that all fit under one rating. In these instances, this rating should be chosen for the indicator.

0-☐☐	1-☐☐	2-☐☐	3-☐☐
IKB cases:☐ <input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts☐ <input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime☐ <input type="checkbox"/> <b>Never</b> publicised☐ ☐☐	IKB cases:☐ <input checked="" type="checkbox"/> Usually take☐ over <b>two years</b> to conclude in the case of criminal proceedings☐ <input checked="" type="checkbox"/> Usually take☐ over <b>six months</b> to conclude in the case of administrative or other penalty regime☐ <input checked="" type="checkbox"/> Generally result in <b>over 50%</b> acquittals☐ <input checked="" type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialised in wildlife crime☐ <input checked="" type="checkbox"/> <b>Seldom</b> publicised☐ ☐☐	IKB cases:☐ <input type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings☐ <input type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime☐ <input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals☐ <input type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend to</b> specialise in wildlife crime cases☐ <input type="checkbox"/> <b>Often</b> publicised☐	IKB cases:☐ <input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings☐ <input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime☐ <input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals☐ <input type="checkbox"/> Are <b>mostly</b> handled by specialised prosecutors and judges ☐ <input type="checkbox"/> <b>Almost invariably</b> receive wide publicity☐

Scenario 2: Split rating

For some indicators, participating experts may choose components that fall under more than one answer rating. In these instances, the rating that has the most selected answers should be chosen for the indicator.

0-☐☐	1-☐☐	2-☐☐	3-☐☐
IKB cases:☐ <input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts☐ <input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime☐ <input type="checkbox"/> <b>Never</b> publicised☐ ☐☐	IKB cases:☐ <input type="checkbox"/> Usually take☐ over <b>two years</b> to conclude in the case of criminal proceedings☐ <input type="checkbox"/> Usually take☐ over <b>six months</b> to conclude in the case of administrative or other penalty regime☐ <input type="checkbox"/> Generally result in <b>over 50%</b> acquittals☐ <input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialised in wildlife crime☐ <input checked="" type="checkbox"/> <b>Seldom</b> publicised☐ ☐☐	IKB cases:☐ <input checked="" type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings☐ <input checked="" type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime☐ <input checked="" type="checkbox"/> Generally result in <b>less than 25%</b> acquittals☐ <input checked="" type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend to</b> specialise in wildlife crime cases☐ <input type="checkbox"/> <b>Often</b> publicised☐	IKB cases:☐ <input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings☐ <input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime☐ <input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals☐ <input type="checkbox"/> Are <b>mostly</b> handled by specialised prosecutors and judges ☐ <input type="checkbox"/> <b>Almost invariably</b> receive wide publicity☐

If the components are selected equally across two (or more) ratings, a conservative approach should be taken and the lower of the two ratings should be selected for the indicator.

0-□□	1-□□	2-□□	3-□□
IKB cases:¶ <input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts¶ <input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime¶ <input type="checkbox"/> <b>Never</b> publicised¶ □	IKB cases:¶ <input type="checkbox"/> Usually take <b>over two years</b> to conclude in the case of criminal proceedings¶ <input type="checkbox"/> Usually take <b>over six months</b> to conclude in the case of administrative or other penalty regime¶ <input type="checkbox"/> Generally result in <b>over 50%</b> acquittals¶ <input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialised in wildlife crime¶ <input type="checkbox"/> <b>Seldom</b> publicised¶ □	IKB cases:¶ <input type="checkbox"/> Usually take <b>over one year</b> but under two years to conclude in the case of criminal proceedings¶ <input type="checkbox"/> Usually take <b>over three months</b> but under six months to conclude in the case of administrative or other penalty regime¶ <input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals¶ <input type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend to</b> specialise in wildlife crime cases¶ <input type="checkbox"/> <b>Often</b> publicised□	IKB cases:¶ <input type="checkbox"/> Usually take <b>under one year</b> to conclude in the case of criminal proceedings¶ <input type="checkbox"/> Usually take <b>under three months</b> to conclude in the case of administrative or other penalty regime¶ <input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals¶ <input type="checkbox"/> Are <b>mostly</b> handled by specialised prosecutors and judges ¶ <input type="checkbox"/> <b>Almost invariably</b> receive wide publicity□

### Scenario 3: Lack of consensus

The expert assessment is best completed with the participation of experts from all relevant enforcement agencies and it is recommended that a multi-stakeholder group should be involved. At times there may not be a consensus, among experts, on the national situation. In these situations there are a number of approaches that can be followed to generate a single national rating, and the key to all will be documenting the variety of responses for each indicator to provide useful contextual information for the analysis of results.

- a. If one enforcement agency has a clear predominant role for the indicator in question it is suggested that the components chosen by that agency is adopted, and the views of other agencies and stakeholders are clearly described in the comments section.
- b. If there is not a clear lead agency for the indicator (e.g. for the indicator which relates to the training needs of all agencies), it is suggested to take a conservative approach by adopting the lower overall rating, again taking care to clearly document the different views provided in the comments section. For these indicators it may also be beneficial to complete the assessment at an individual agency level to produce a separate rating for each enforcement agency.
- c. In cases where there is a diverse range of expert opinions and no clear way forward, it is suggested that a rating for the indicator is not produced and the differing views are clearly documented recording the minimum and maximum rating and their justification.

### Scoring and assessing results

Each indicator can score between 0 and 3. The maximum score from the national-level assessment (i.e. the sum of the scores of all indicators) will be 75. It will also be useful to look at the score for each group of indicators by calculating the average score per group as the number of score-producing indicators varies across the five groups.

<i>Indicator</i>	<i>Indicator Group</i>	<i>Maximum Group score</i>
1. Extent of IKB cases known to justice	A. National monitoring of IKB (data management of scope and scale of IKB)	6 + data
2. Number of IKB cases prosecuted in the last year (data)		
3. Status and scale of IKB		
4. Number and distribution of illegally killed, trapped or traded birds (data)		
5. National wildlife legislation	B. Comprehensiveness of national legislation	27
6. Hunting legislation		
7. Prohibitions under national legislation		
8. Exceptions under national legislation		
9. Sanctions and penalties		
10. Proportionality of penalties		
11. Use of criminal law		
12. Organized crime		
13. Transposition of international law and commitment to national legislation	C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions)	15 + data
14. National Action Plan for combating IKB		
15. Enforcement priority		
16. Stakeholders and policy-making		
17. Staffing and recruitment		
18. Specialized training		
19. Field enforcement effort (data)		
20. Quality of judiciary processes	D. Prosecution and sentencing (effectiveness of judicial procedures)	12
21. Sentencing guidelines		
22. Judicial awareness		
23. Judiciary training	E. Prevention (other instruments used to address IKB)	15
24. International cooperation		
25. Drivers of wildlife crime		
26. Demand-side activities		
27. Regulated community		
28. Public awareness actions		
<b>TOTAL MAXIMUM SCORE</b>		<b>75</b>

Three indicators do not generate a score but require the provision of data. The data required in particular refer to: the number of people prosecuted for IKB (indicator No. 2), the number of birds illegally killed, trapped or traded (indicator No. 4) and the person/days of field enforcement effort (indicator No. 19). The three data sets provide important insight into the extent and trend of IKB in each country.

Data for Indicator No. 2 should be available through the databases managed (or populated) by the judicial system to monitor its activities; the information required for indicator No. 19 is likely to be held by the law enforcement agencies and used to report on their activities and results. The estimation of the amount of birds illegally killed, trapped or traded is likely to require some effort to generate. Defining the extent of an illegal activity is always a complex task, which will require good knowledge of the methods used by the criminals and the involvement of a number of relevant stakeholders. No guiding documents have been developed so far by the Bern Convention or CMS and currently the only available specific guidelines are those produced by BirdLife international<sup>5</sup>. National authorities are invited to provide information on how their estimates are generated.

The majority of the indicators investigate the responses of the national authorities to IKB and are crucial to monitor progress and inform the national authorities where further efforts are

<sup>5</sup> BirdLife International (2015) A best practice guide for monitoring illegal killing and taking of birds. Cambridge, UK: BirdLife International. [www.birdlife.org/datazone/sowb/casestudy/708](http://www.birdlife.org/datazone/sowb/casestudy/708)

needed. In other words indicators No. 3 and No. 4 measure the state and trend of IKB, while the others assess the response of the country to the illegal killing, trapping and trade of wild birds.

### Presenting the results

The total score produced by the indicators measures the extent of efforts made by each State to address IKB. Although a simple method of scoring may appear an easy and neat way to assess the response of each country to IKB, it fails to provide a full picture of the complex issue at stake.

Furthermore, a single figure score is unlikely to provide useful information on the areas on which each Contracting Party should concentrate to develop a full range of appropriate responses to IKB. Therefore, results will be presented in a tabular form comparing them by groups of indicators based on the national score versus maximum possible score.

Each result will be given a colour code:

- Red - National score <25% of maximum possible score
- Yellow - National score between 25% and 50% of maximum possible score
- Light green - National score between 50% and 75% of maximum possible score
- Green - National score >75% of maximum possible score

This will allow an assessment, at national level, of the areas where more work might be required and at international level to identify areas where guidance and support may be necessary.

Finally, the actions that each country has implemented or has to develop further are also directly linked to the severity of the IKB issue it has to address. Therefore, the information provided by each country through Indicator No. 4 (estimation of number of birds illegally killed or taken) will be displayed (as class of severity) in a further column.

The severity classes will be:

- Class I (Red) - Annual IKB estimate >2.5 million;
- Class II (Yellow) - Annual IKB estimate 750,000 – 2.5 million;
- Class III (Light green) - Annual IKB estimate 100,000 – 750,000;
- Class IV (Green) - Annual IKB estimate <100,000.

This will put the results shown in the first columns in context with the magnitude of the problem of illegal killing of wild birds at national level.

Country	A. National monitoring of IKB	B. Comprehensiveness of national legislation	C. Enforcement response	D. Prosecution and sentencing	E. Prevention	Size of IKB problem
XXX	Light green	Green	Red	Yellow	Light green	Red
YYY	Red	Yellow	Yellow	Green	Green	Green
ZZZ	Green	Green	Yellow	Light green	Yellow	Yellow
....						

The six scores together will allow a better assessment of efforts and successes of each country in addressing the illegal killing of wild birds and as an overall assessment of progress can be made and each country efforts will be assessed as:



IKB still requires significant effort



IKB requires more effort



IKB largely addressed





## IKB Scoreboard

### Assessment template

Country	
Date of assessment	
Contact person	
Contact details	

## A. National monitoring of IKB – data management of scope and scale of IKB.

### 1. Extent of IKB cases known to justice

The extent to which data on illegal activities at national level are available.

**Question: Are data on the status and scale of IKB cases available and is it analysed?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<input type="checkbox"/> Data on IKB cases number and distribution are <b>not available</b> . <input type="checkbox"/> Data on IKB cases number and distribution are available but have <b>not been used</b> to assess IKB scale and distribution.	<input type="checkbox"/> National estimate on numbers and distribution of cases of IKB <b>is based entirely on expert opinion</b> / modelling / other indirect methods	<input type="checkbox"/> National estimates on the scale and distribution of cases of IKB <b>are extrapolated</b> on the basis of <b>partial</b> IKB disclosed crime statistics	<input type="checkbox"/> National data on IKB cases are available and is <b>based on official and comprehensive</b> IKB crime disclosure statistics.

Comments:

## 2. Number of IKB cases prosecuted in the last year

The extent of cases of IKB persecuted in the last year

**Question: How many IKB cases have been prosecuted in the last year in your country?**

*Measurement: the number of IKB cases prosecuted in the last year.*

Category of IKB offence	Number of persons prosecuted in the last year	Number of bird specimens involved in the offence (specimens seized)
Illegal killing of protected birds (shooting, poisoning, other methods of killing)		
Illegal taking of protected birds (trapping using any means)		
Illegal possession of live / dead protected birds		
Illegal importation or transport of live / dead protected birds		
Illegal taxidermy of protected birds		
Illegal trade in protected birds (including trafficking for sale, marketing for sale of any live or dead protected birds or their parts)		
Serving / offering of protected species in restaurants		
Use of prohibited methods of hunting (bird callers, snares, nets, lights, gas, etc)		
Illegal hunting outside open season or during unpermitted hours		
Hunting without a license, breach of license conditions (e.g. exceedance in hunting quotas, failure to report birds caught, etc)		
Hunting in prohibited areas (game reserves)		
Deliberate disturbance to nests, breeding grounds, removal of eggs		
<b>Total</b>		

Having regard to the Bern Convention draft reporting format for recording of wild bird crime cases<sup>6</sup>, as well as to the following working definition of IKB: “Those unlawful<sup>7</sup> activities committed intentionally resulting in the death, injury, disturbance<sup>8</sup> or removal of specimens<sup>9</sup> of migratory birds from the wild either dead or alive, including their parts or derivatives”, respondents should indicate the number of cases of IKB-related offences for each offence category disclosed<sup>10</sup> over the past year (or last year from which data are available) as well as, wherever applicable, the number of bird specimens involved in the offence.

In case an offence was committed by a group of persons, the number of offences to be reported in the second column of the above table should be multiplied by the number of persons involved / prosecuted for that offence.

<sup>6</sup><https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2919703&SecMode=1&DocId=2369656&Usage=2>

<sup>7</sup> “Unlawful” means for this purpose infringing national, regional or international law.

<sup>8</sup> “Disturbance” refers for this purpose to any disturbance on the breeding and rearing grounds or during their journeys to them.

<sup>9</sup> “Specimen” means an animal whether dead or alive

<sup>10</sup> “Disclosed” implies cases of IKB offences where sufficient material evidence was collected to enable identification of suspects and prosecution of the offence in accordance with the applicable criminal or administrative proceedings.

In case a single person faced multiple charges for different offence categories (for instance illegal killing of a protected bird and using prohibited methods of hunting), such case should be reported under each offence category for which that person has been charged / prosecuted.

### 3. Status and scale of IKB

The extent to which data on illegal activities at national level are available.

#### **Question: Has bird mortality due to IKB been estimated?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<input type="checkbox"/> Data on number of bird mortality due to IKB <b>are not available.</b>	<input type="checkbox"/> National estimate on annual bird mortality due to IKB is based <b>on expert opinion</b> and anecdotal information.	<input type="checkbox"/> National estimate on annual bird mortality due to IKB is based <b>partially on quantitative data</b> and records and partially on estimates and extrapolation.	<input type="checkbox"/> National estimates on annual bird mortality due to IKB is based largely on <b>quantitative data</b> and records.

Comments:

4. Number, distribution and trend of illegally killed, trapped or traded birds

The extent, trend, seasonal and geographic distribution of illegally killed birds in your country including overseas territories.

**Question: How many birds and in which season are estimated to be illegally killed, trapped or traded every year in your country including overseas territories? What is the trend?**

Measurement: Number of birds estimated to be illegally killed, trapped or traded every year

	Spring	Summer	Autumn	Winter	Total
<b>National level</b>					
<b>(region/area/territory)</b>					
[add lines for each region from which data or estimate is available]					

	Increasing	Stable	Decreasing	No clear trend
<b>IKB trend over past 3 years</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:<sup>11</sup>

<sup>11</sup> Please provide information on how the estimates have been developed.

## B. Comprehensiveness of national legislation

### 5. National wildlife legislation

The comprehensiveness of national legislative provisions in force for wildlife conservation, management and use, including prohibition of IKB

**Question: Is there comprehensive national legislation<sup>12</sup> for wildlife conservation, management and use, including provisions for the regulation of international trade in wildlife or its products?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
National wildlife legislation: <input type="checkbox"/> Has not been enacted	National wildlife legislation: <input type="checkbox"/> Does <b>not have</b> adequate provisions to deter and combat IKB <input type="checkbox"/> Is <b>not</b> supported by suitable subsidiary legislation and/or regulations	National wildlife legislation: <input type="checkbox"/> <b>Has</b> adequate provisions to deter and combat IKB. <input type="checkbox"/> Is <b>not</b> supported by suitable subsidiary legislation and/or regulations	National wildlife legislation: <input type="checkbox"/> Has adequate provisions to deter and combat IKB <input type="checkbox"/> <b>Is supported</b> by suitable subsidiary legislation and/or regulations

Comments:

<sup>12</sup> The comprehensiveness of provisions in all relevant national legislation should be considered when answering this question. In general, domestic laws pertaining to the wildlife sector should, at a minimum, set out rules for the following aspects:

- Ownership over wildlife, that is, State-ownership, private property rights, rights of indigenous people or native title;
- Designation of government agencies to oversee and regulate the wildlife sector, administrative processes and so forth;
- Game reserves and hunting areas, including the identification of the areas where subsistence, commercial or leisure hunting is prohibited or permitted;
- Licence systems for leisure and commercial hunting, including conditions for granting, renewing and cancelling hunting licences;
- Transport and import/export rules to control the movement of wildlife, dead or alive, animal parts and products made from wildlife across the country and across international borders; and
- Offences for violations of domestic wildlife laws and enforcement measures

## 6. Hunting legislation

The comprehensiveness of national legislation concerning sustainable use of wildlife.

**Question: Through which measures and controls do the national legislations regulate the killing and taking of wild birds?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does <b>not specifically</b> regulate hunting of birds from conservation / sustainable use points of view. Some legislation concerning hunting of birds may exist, however it mainly addresses the activity from arms control / public safety points of view and does not delve into wildlife conservation issues</li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting exists and sets <b>basic parameters</b> that apply to various huntable species including birds:</li> <li><input type="checkbox"/> Establishes and defines hunting seasons</li> <li><input type="checkbox"/> Lists species that can be hunted</li> <li><input type="checkbox"/> Regulates methods of hunting</li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting exists separately from national legislation concerning conservation of wildlife and lays down <b>comprehensive provisions</b> concerning:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Establishing and defining hunting seasons</li> <li><input type="checkbox"/> Listing species that can be hunted</li> <li><input type="checkbox"/> Defining hunting areas.</li> <li><input type="checkbox"/> Regulating and defining which methods are allowed for hunting</li> <li><input type="checkbox"/> Providing for effective licensing mechanism and criteria for obtaining a hunting licence</li> <li><input type="checkbox"/> Establishing bag limits and quotas for huntable species</li> <li><input type="checkbox"/> Providing for basic hunting bag reporting requirements</li> <li><input type="checkbox"/> Controls related to implementation</li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting is <b>fully integrated</b> within national conservation of wildlife legislation therefore ensuring the taking into account of biological and conservation aspects in hunting-related decisions and lays down <b>comprehensive provisions</b> concerning:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Establishment and definition of hunting seasons</li> <li><input type="checkbox"/> Listing species that can be hunted</li> <li><input type="checkbox"/> Definition of hunting areas</li> <li><input type="checkbox"/> Regulation and definition of which methods are allowed for hunting</li> <li><input type="checkbox"/> Provision for appropriate licensing mechanism and criteria for obtaining a hunting license, including requirements for compulsory examination of hunting license applicants</li> <li><input type="checkbox"/> Establishment of bag limits and quotas for huntable species on the basis of biological and conservation considerations</li> <li><input type="checkbox"/> Provision for the timely collection of hunting bag data and reporting mechanisms</li> <li><input type="checkbox"/> Controls related to implementation, including enforcement (for instance providing enforcement powers to game wardens, park rangers, hunting marshals etc)</li> </ul> </li> </ul>

Comments:

7. Prohibitions under national legislation

The extent of activities forbidden under national legislation

**Question: To what extent are activities related to the killing of wild birds prohibited under national law?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>National legislation does <b>not generally</b><sup>13</sup> forbid:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> The use of means such as nets, traps, lime sticks, sound-devices, etc for capturing birds</li> <li><input type="checkbox"/> Disturbance of any kind during periods of rearing and reproduction</li> <li><input type="checkbox"/> Taxidermy</li> <li><input type="checkbox"/> Possession of live or dead wild birds or their parts</li> <li><input type="checkbox"/> Importation or transport of wild birds or their derivatives</li> <li><input type="checkbox"/> Sale of wild birds</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> Disturbance of any kind during periods of rearing and reproduction</li> <li><input type="checkbox"/> Taxidermy</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> The use of means such as nets, traps, lime sticks, sound-devices, etc. for capturing birds</li> <li><input type="checkbox"/> Disturbance of any kind during periods of rearing and reproduction</li> <li><input type="checkbox"/> Taxidermy</li> <li><input type="checkbox"/> Possession of live or dead wild birds or their parts</li> <li><input type="checkbox"/> Importation or transport of wild birds or their derivatives</li> <li><input type="checkbox"/> Sale of wild birds</li> </ul>

Comments:

<sup>13</sup> General prohibition may be subject to regulated exemptions that are subject of the next question



8. Exceptions under national legislation

The extent of regulatory scrutiny concerning any authorisation of exemptions

**Question: To what extent does national law make it possible to authorize and regulate exemptions from the general prohibitions outlined in the previous question?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>any or some</b> activities that are generally prohibited under national legislation</li> <li><input type="checkbox"/> Does not include specific criteria or processes for granting / monitoring such exemptions are prescribed in the national law</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines the basic criteria upon which such exemptions can be granted by the responsible authority; however, such criteria for granting exemptions <b>do not fully correspond</b> to the criteria for exemptions stipulated in Bern Convention / CMS / EU Birds Directive (for EU MS only)</li> <li><input type="checkbox"/> Does not include specific regulatory mechanism for monitoring / reporting upon exemptions granted</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines <b>comprehensive criteria</b> upon which such exemptions can be granted by the responsible authority; such criteria <b>fully correspond</b> to the criteria for exemptions stipulated in Bern Convention / CMS / EU Birds Directive (for EU MS only)</li> <li><input type="checkbox"/> Does not include specific regulatory mechanism for monitoring / reporting upon exemptions granted</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines <b>comprehensive criteria</b> upon which such exemptions can be granted by the responsible authority; such criteria <b>fully correspond</b> to criteria for exemptions stipulated in Bern Convention / CMS / EU Birds Directive (for EU MS only)</li> <li><input type="checkbox"/> Establishes, for <b>each</b> exemption granted on an annual basis, a specific regulatory mechanism that ensures strict supervision of compliance, monitoring and reporting</li> <li><input type="checkbox"/> Requires that data on all exemptions granted, is compiled on an annual basis and is publically available including information on affected species, number of specimens, justification, the responsible authorities, permitting and licensing procedures, compliance monitoring and supervision</li> </ul>

Comments:

9. Sanctions and penalties

The extent to which penalties for IKB are comprehensive

**Question: Which penalties and sanctions are imposed by law regarding the killing and taking of wild birds and their use and trade?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does <b>not specifically</b> define IKB-related offences and does not foresee specific penalties for such offences</li> <li><input type="checkbox"/> Does <b>not specifically</b> penalize IKB-related offences unless these are coupled with breaches of other legislation such as arms control laws</li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides <b>basic definition</b> of IKB-related offences that encompasses illegal killing, trapping and trade of wild birds</li> <li><input type="checkbox"/> Stipulates <b>maximum</b> penalties for most IKB-related offences <b>but does not stipulate a minimum penalty</b></li> <li><input type="checkbox"/> Provides for a <b>limited spectrum</b> of criminal and administrative sanctions including:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (usually suspended jail terms in the most severe cases IKB)</li> <li><input type="checkbox"/> Suspension of license.</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides a <b>comprehensive definition</b> of specific IKB-related offences that encompasses illegal killing, trapping, trade, possession, transport, importation and taxidermy of wild birds</li> <li><input type="checkbox"/> Stipulates <b>both the minimum and a maximum penalty</b> for some categories of offences</li> <li><input type="checkbox"/> Provides for a <b>wide spectrum</b> of criminal and administrative sanctions including:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (usually suspended jail terms in the most severe cases IKB)</li> <li><input type="checkbox"/> Suspension of license.</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> <li><input type="checkbox"/> Permanent revocation of licence</li> <li><input type="checkbox"/> Community service</li> <li><input type="checkbox"/> Other sanctions</li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides a <b>comprehensive definition</b> of specific IKB-related offences that encompasses illegal killing, trapping, trade, possession, transport, importation and taxidermy of wild birds</li> <li><input type="checkbox"/> Stipulates <b>both the minimum and a maximum penalty for all offence categories</b> except those where a level of penalty is fixed permanently in the law</li> <li><input type="checkbox"/> Provides for a <b>full spectrum</b> of criminal and administrative sanctions including:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (both effective and suspended jail terms are usually automatic for the most severe cases of IKB)</li> <li><input type="checkbox"/> Suspension of license</li> <li><input type="checkbox"/> Permanent revocation of license in the case of IKB involving highly protected birds</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> <li><input type="checkbox"/> Community service</li> <li><input type="checkbox"/> Other sanctions</li> </ul> </li> </ul>

Comments:

10. Proportionality of penalties

The extent to which severity of IKB cases is reflected in the relevant national legislation.

**Question: Does national legislation adequately penalize IKB offences?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>Penalties for IKB:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Only make provision for <b>administrative</b> penalties (e.g. fines, bans, suspensions)</li> <li><input type="checkbox"/> Are <b>not proportional</b> to the nature and severity of IKB</li> <li><input type="checkbox"/> Are <b>inadequate</b> as they do not provide an effective deterrent<sup>14</sup></li> </ul>	<p>Penalties for wildlife crime:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> <b>Do not differentiate</b> offences on the basis of gravity factors, leaving a wide margin of judiciary discretion in the determination of the magnitude of penalties meted out</li> <li><input type="checkbox"/> Are <b>inadequate</b> as they do not provide an effective deterrent</li> </ul>	<p>Penalties for wildlife crime:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> Provide a penalty structure that <b>somewhat</b> reflects severity of offences on the basis of basic gravity factors; however, leaving a wide margin for judiciary discretion</li> <li><input type="checkbox"/> Are generally seen as providing an <b>adequate</b> and proportionate deterrent for most cases of IKB</li> </ul>	<p>Penalties for wildlife crime:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> <b>Fully</b> reflect severity of offences on the basis of gravity factors recommended as part of Bern Convention Tunis Action Plan<sup>15</sup></li> <li><input type="checkbox"/> Are generally seen as providing an <b>adequate</b> and <b>proportionate</b> deterrent for all IKB cases, as evidenced through sustained IKB crime decline (sustained decline in IKB cases observed over at least 3 years)</li> <li><input type="checkbox"/> Treat wildlife crime offences involving organized criminal groups as serious crime<sup>16</sup> carrying a minimum term of four years imprisonment</li> </ul>

Comments:

<sup>14</sup> Measuring and estimating the effects of criminal sanction on subsequent criminal behaviour is very complex and there is no agreement on the deterrence of sanctions on criminal behaviours. Please make sure you assess here the adequacy of the law, not the effectiveness of the judicial system (which has also an impact on the deterrence of a law). It is therefore a matter of expert opinion, but should be backed by facts to be reported in the 'comments' section.

<sup>15</sup> Bern Convention Recommendation N° 177 (2015) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds

<sup>16</sup> The United Nations Convention against Transnational Organized Crime defines serious crime as conduct constituting an offence punishable by imprisonment for at least four years or a more serious penalty.

11. Use of criminal law

The extent to which a combination of relevant national legislation and criminal law are used to prosecute IKB in support of legislation enacted to combat wildlife crime.

**Question: Are IKB cases prosecuted under a combination of relevant national legislation and criminal law in support of legislation enacted to combat wildlife crime, to ensure that wherever possible and appropriate offenders are charged and tried under relevant laws that carry the highest penalties<sup>17</sup>?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
Relevant criminal law: <input type="checkbox"/> <b>Cannot</b> be applied to IKB offences <input type="checkbox"/> IKB cases are either <b>not penalized</b> at all or are penalized <b>only administratively</b>	Relevant criminal law: <input type="checkbox"/> Is <b>rarely</b> applied to IKB crime cases <input type="checkbox"/> Most IKB cases <b>except the most severe</b> are penalized administratively <input type="checkbox"/> Wherever criminal law is evoked in the <b>most severe</b> IKB cases, this usually stems from laws unrelated to wildlife conservation, such as arms control or public safety laws	Relevant criminal law: <input type="checkbox"/> Is <b>sometimes</b> applied to IKB crime cases <input type="checkbox"/> <b>Generally</b> describes which IKB-related offence categories are subject to criminal liability and which categories are subject to administrative sanctions	Relevant criminal law: <input type="checkbox"/> Is <b>usually</b> applied in most IKB crime cases, as required <input type="checkbox"/> <b>Clearly</b> describes offence categories that are subject to criminal as opposed to administrative liability <input type="checkbox"/> Is supported by <b>mechanisms that harmonize</b> wildlife and other key domestic legislation such as criminal law

Comments:

<sup>17</sup> Because of the high value of some illegally-traded bird specimens and the involvement of organized crime groups in IKB, mandated maximum fines of legislation enacted to combat wildlife crime often bear little relation to the value of illegally killed, trapped or traded KB specimens or the severity of the offence. It is therefore important that persons arrested for involvement in IKB whenever possible and appropriate, are charged and tried under a combination of relevant laws that carry the highest penalties. Includes legislative provisions for International cooperation, combating corruption and addressing organized crime. Also includes use of general crime laws that relate to offences such as fraud, conspiracy, possession of weapons and other matters as set out in the national criminal code.

12. Organized crime legislation

The extent to which specific legislation to address organized crime<sup>18</sup> is used to combat IKB

**Question: How is national legislation to address organized crime being used in the investigation and prosecution of IKB?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
National legislation on organized crime <input type="checkbox"/> Has not been enacted <input type="checkbox"/> Cannot be used for prosecuting IKB	National legislation on organized crime <input type="checkbox"/> Is in place but is <b>rarely</b> used in IKB cases prosecution <input type="checkbox"/> Does <b>not</b> have provision for special investigation methods	National legislation on organized crime <input type="checkbox"/> Is in place and is <b>sometimes</b> used in IKB cases <input type="checkbox"/> Special investigation methods used for organized crime are <b>not available</b> for IKB cases	National legislation on organized crime <input type="checkbox"/> Is in place and <b>used as appropriate</b> in IKB cases <input type="checkbox"/> Special investigation methods used for organized crime are <b>applied also</b> to IKB cases

Comments:

<sup>18</sup> The United Nations Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

13. Transposition of international law and commitment to national legislation

The comprehensiveness of national legislative provision to transpose international commitments related to IKB to which the State is party.

**Question: To what extent the national legislation transposes the commitment regarding IKB made by joining the Convention of Migratory Species, the Bern Convention and the EU?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
The country: <input type="checkbox"/> Is <b>not a member</b> of CMS <input type="checkbox"/> Is <b>not a member</b> of Bern	National legislation for CMS: <input type="checkbox"/> Has <b>not</b> been enacted.  National legislation for Bern Convention: <input type="checkbox"/> Has <b>not</b> been enacted  <input type="checkbox"/> EC has <b>open infringement</b> procedures related to incorrect / incomplete transposition <sup>19</sup> of the EU Birds Directive or any legal provisions stemming from EU's ratification of Bern / CMS Conventions related to birds into national law <sup>20</sup>	<input type="checkbox"/> CMS commitments regarding the fight against IKB have been <b>partially</b> transposed into the existing national legislation  <input type="checkbox"/> Bern Convention commitments regarding the fight against IKB have been <b>partially</b> transposed into the existing national legislation  <input type="checkbox"/> The country <b>has</b> pending / unresolved case files / complaints under Bern Convention related to incorrect or incomplete transposition of the provisions of the Convention into national law  <input type="checkbox"/> No open infringement procedures exist related to incorrect / incomplete transposition of the EU Birds Directive or any legal provisions stemming from EU's ratification of Bern / CMS Conventions related to birds into national law <sup>21</sup>	<input type="checkbox"/> CMS commitments regarding the fight against IKB have been <b>fully</b> transposed into the existing national legislation  <input type="checkbox"/> Bern Convention commitments regarding the fight against IKB have been <b>fully</b> transposed into the existing national legislation  <input type="checkbox"/> The country <b>has no</b> pending / unresolved case files / complaints under Bern Convention related to incorrect transposition of the provisions of the Convention into national law  <input type="checkbox"/> No open infringement procedures exist related to incorrect / incomplete transposition of the EU Birds Directive or any legal provisions stemming from EU's ratification of Bern / CMS Conventions related to birds into national law <sup>21</sup>

Comments:

<sup>19</sup> Reference here is specifically to infringement procedures related to incorrect or incomplete transposition of international legislation, not regarding its implementation.

<sup>20</sup> Since the EU has signed and ratified both Conventions and their commitments are binding upon all EU Member States, irrespective of the signatory / ratification status of individual Member States, this score point applies only to EU Member States that have open infringement procedures initiated by the EC

<sup>21</sup> This score point applies only to EU Member States

**C. Enforcement response: preparedness of law enforcement bodies and coordination of national institutions**

*14. National Action Plan for combating IKB*

The existence of a national strategy or action plan for IKB.

**Question: Is there a national action plan to tackle IKB?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>not</b> been developed</li> <li><input type="checkbox"/> IKB is <b>not covered</b> by any other relevant enforcement strategies or action plans</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> is in the process of being developed</li> <li><input type="checkbox"/> IKB is covered by other relevant enforcement strategies or action plans</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has been developed</li> <li><input type="checkbox"/> Has been adopted by some relevant national enforcement agencies</li> <li><input type="checkbox"/> Is <b>not actively</b> implemented by all relevant enforcement agencies</li> <li><input type="checkbox"/> Has <b>not</b> been regularly updated</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has been developed</li> <li><input type="checkbox"/> Has been adopted by all relevant national enforcement agencies</li> <li><input type="checkbox"/> Is actively implemented by all relevant enforcement agencies</li> <li><input type="checkbox"/> Is being monitored and reviewed to ensure it remains up to date</li> </ul>

Comments:

15. Enforcement priority

The recognition of combating wildlife crime as a high priority for national law enforcement agencies.

**Question: Is combating IKB identified as a high priority for national law enforcement agencies?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
IKB crime: <input type="checkbox"/> Is <b>rarely</b> identified as a high priority among national law enforcement agencies	IKB crime: <input type="checkbox"/> Is <b>sometimes</b> identified as a high priority among national law enforcement agencies	IKB crime: <input type="checkbox"/> Is <b>usually</b> identified as a high priority among national law enforcement agencies <input type="checkbox"/> Has <b>not</b> been formally <sup>22</sup> adopted and/or acknowledged as a high priority	IKB crime: <input type="checkbox"/> Is <b>usually</b> identified as a high priority among national law enforcement agencies <input type="checkbox"/> Has been formally adopted and/or acknowledged as a high priority

Comments:

<sup>22</sup> Formal recognition could include reference to wildlife crime as a priority issue within strategic plan(s), Memoranda of Understanding (MoUs), public statements by heads of agencies and/or Declarations/Decrees by Heads of State.



16. Stakeholders and policy-making

The level of stakeholder participation to IKB-related policy-making

**Question: To what extent and through which means are stakeholders<sup>23</sup> involved in policy-making to address IKB**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>Stakeholders' participation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is limited and informal</li> <li><input type="checkbox"/> Largely limited to information of the policies that will be developed</li> </ul>	<p>Stakeholders' participation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is limited to consultation</li> <li><input type="checkbox"/> Is achieved through ad hoc meetings as no formal committee is established</li> <li><input type="checkbox"/> Is achieved via consultation with academics through the national wildlife agency (or similar technical body)</li> </ul>	<p>Stakeholders' participation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Ensures that their inputs are treated as advise and are taken into consideration in the policy-making process</li> <li><input type="checkbox"/> Is achieved through formal structures and committees which meets infrequently</li> <li><input type="checkbox"/> Is incomplete as one or more stakeholders' group is not involved or willing to participate</li> </ul>	<p>Stakeholders' participation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Ensures that they are considered as equal policy makers, although the final decision remains in the political domain</li> <li><input type="checkbox"/> is ensured by formal structures and committees that meet with the appropriate frequency</li> <li><input type="checkbox"/> Is complete as all stakeholders are involved</li> </ul>

Comments:

<sup>23</sup> Stakeholders include the regulated community (i.e. harvesters, sellers, traders etc. as described in indicator 26), bird conservation NGOs, Academia, and local communities when appropriate

17. Staffing and recruitment

The level of staff resources<sup>24</sup> in national law enforcement agencies to combat wildlife crime.

**Question: What staff resources do national law enforcement agencies have to combat IKB?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>significantly</b> under-staffed</li> <li><input type="checkbox"/> Are <b>rarely</b> able to recruit and/or attract additional staff</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Sometimes</b> have a full complement of staff</li> <li><input type="checkbox"/> <b>Usually</b> experience staffing<sup>25</sup> and/or skills shortages</li> <li><input type="checkbox"/> Usually experience recruitment delays and/or difficulties</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Usually</b> have a full complement of staff, although it has not always kept up with changing wildlife crime trends</li> <li><input type="checkbox"/> <b>Sometimes</b> experience staffing and/or skills shortages</li> <li><input type="checkbox"/> <b>Sometimes</b> experience delays in recruitment and/or difficulties attracting suitably-qualified candidates</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Usually</b> have a full complement of staff, which has generally kept up with changing wildlife crime trends</li> <li><input type="checkbox"/> <b>Usually</b> have an appropriate mix of staff and skills</li> <li><input type="checkbox"/> <b>Usually</b> process recruitment vacancies as they arise with suitably-qualified candidates</li> </ul>

Comments:

<sup>24</sup> Whether the staff level is sufficient or not is matter of expert opinion. Please provide any evidence and rational in the 'Comments' section. Please note that indicator 19 will be dealing with enforcement effort.

<sup>25</sup> Staffing includes factors such as whether there is an appropriate mix of full-time, part-time and casual staff; experienced and less experienced staff; and professional, technical, investigative and administrative staff as needed to discharge the required activities

18. Specialized training

The percentage of enforcement officers trained in IKB-related aspects.

**Question: How many of the enforcement officers<sup>26</sup> have received training<sup>27</sup> in IKB-related aspects?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<input type="checkbox"/> None	<input type="checkbox"/> Less than 10%	<input type="checkbox"/> Less than 50%	<input type="checkbox"/> More than 50%

Comments:

<sup>26</sup> "Enforcement officers" refers in this case to police officers and any other professional involved in the protection and management of wildlife, national parks and natural areas (e.g. rangers, forest guards, game wardens, field enforcement officers).

<sup>27</sup> In the 'Comments' sections please provide a description of the trainings.

*19. Field enforcement effort*

The intensity of efforts devoted by law enforcement agencies to combat IKB.

***Question: How many person/days per year have law enforcement agencies invested to combat IKB?***

*Measurement: the number of person/days law enforcement agencies have invested in combating IKB in the last year.*

Comments:<sup>28</sup>

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<sup>28</sup> Please provide information on the source of the information.

## D. Prosecution and sentencing - effectiveness of judicial procedures

### 20. Quality of judicial processes

Effectiveness and efficiency of administration of sanctions for IKB offences

**Question: Are sanctions for IKB-related offences administered effectively and efficiently?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts</li> <li><input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime</li> <li><input type="checkbox"/> <b>Never</b> publicized</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take<sup>29</sup> over <b>two years</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take<sup>30</sup> over six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in over 50% acquittals<sup>31</sup></li> <li><input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialized in wildlife crime</li> <li><input type="checkbox"/> <b>Seldom</b> publicized</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals</li> <li><input type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend to</b> specialize in wildlife crime cases</li> <li><input type="checkbox"/> <b>Often</b> publicized</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals</li> <li><input type="checkbox"/> Are <b>mostly</b> handled by specialized prosecutors and judges</li> <li><input type="checkbox"/> <b>Almost invariably</b> receive wide publicity</li> </ul>

Comments:

29 Duration of criminal cases is measured as a period between the date of the filing of the charges in court and the date of sentencing, but excludes any potential subsequent appeals that may be filed

30 Duration of administrative cases is measured as a period between the date when the offender is served with a notice of an administrative offence and the date of full settlement of such administrative sanction

31 Excluding acquittals made upon consideration of any appeal where applicable

21. Sentencing guidelines

The existence of national guidelines for the sentencing of offenders convicted for wildlife crime.

**Question: Are there clearly-defined national guidelines for the sentencing of offenders convicted for wildlife crime?**

Measurement:

<b>0</b> <input type="checkbox"/>			<b>3</b> <input type="checkbox"/>
NO			YES

Comments:

22. *Judicial awareness*

The extent of awareness of wildlife crime among the judiciary and the appropriateness of the verdicts handed down.

**Question: Is the judiciary aware of the serious nature of IKB and does it hand down appropriate sentences?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>The judiciary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>no awareness</b> of the nature and prevalence of IKB, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Has <b>no awareness</b> of IKB-related charges</li> <li><input type="checkbox"/> Usually treats IKB as a <b>minor offence</b></li> <li><input type="checkbox"/> Does <b>not</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The judiciary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>limited</b> awareness of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Has <b>limited</b> awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Hands down verdicts that are <b>sometimes</b> appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Rarely</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The judiciary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>some</b> awareness of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Has <b>some</b> awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Hands down verdicts that are <b>usually</b> appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Sometimes</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The judiciary:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is aware of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Has a <b>high level</b> of awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Hands down verdicts that are appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Routinely</b> adhere to sentencing guidelines where they exist</li> </ul>

Comments:

**23. Judiciary training**

The percentage of judiciary trained in IKB-related aspects.

**Question: How many of the members of the judiciary have received training in IKB-related aspects?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<input type="checkbox"/> None	<input type="checkbox"/> Less than <b>10%</b>	<input type="checkbox"/> Less than <b>50%</b>	<input type="checkbox"/> More than <b>50%</b>

Comments:



## E. Prevention - other instruments used to address IKB

### 24. International cooperation

The extent to which national institutions take advantage of the international initiatives and working groups on IKB

**Question: Do national institutions participate actively in IKB-related international initiatives?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>National government <b>does not</b> participate in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES initiatives</li> <li><input type="checkbox"/> EU initiatives</li> <li><input type="checkbox"/> Any bilateral initiatives</li> </ul>	<p>National government <b>rarely</b> participates (less than 50% of meetings in the last 3 years) in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES initiatives</li> <li><input type="checkbox"/> EU initiatives</li> <li><input type="checkbox"/> Any bilateral initiatives</li> </ul>	<p>National government <b>regularly</b> participates (more than 50% of the meeting in the last three years) in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES initiatives</li> <li><input type="checkbox"/> EU initiatives</li> <li><input type="checkbox"/> Any bilateral initiatives</li> </ul>	<p>National government takes an active role<sup>32</sup> in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES initiatives</li> <li><input type="checkbox"/> EU initiatives</li> <li><input type="checkbox"/> Any bilateral initiatives</li> </ul>

Comments:

<sup>32</sup> Active role includes actions such as participating to all meetings, replying to questionnaires and implementing initiatives at national level.

25. Drivers of wildlife crime

The extent to which the drivers of IKB in the country are known and understood.

**Question: Is there awareness of the drivers<sup>33</sup> of IKB in your country, including drivers of both supply of illicit products and consumer demand?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>limited</b> , as very little information is available	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>basic</b> <input type="checkbox"/> Is typically <b>anecdotal</b> <input type="checkbox"/> Is based on <b>limited</b> sources	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>reasonable</b> <input type="checkbox"/> Involves <b>gaps</b> in knowledge <input type="checkbox"/> Is based on information from <b>multiple</b> sources	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>good</b> <input type="checkbox"/> Is reasonably <b>comprehensive</b> <input type="checkbox"/> Is based on information from a variety of sources <b>including scientific research</b>

Comments:

<sup>33</sup> "Drivers" are the underlying factors that are behind IKB. It can be driven by multiple factors, including rural poverty, food insecurity, economic interests, as well as social upheavals such as war and famine.

26. Demand-side activities

The extent to which activities to address the demand of illicit wildlife products are implemented.

**Question: Are activities implemented to address the demand\* for illegally obtained wild birds?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
Demand-side activities: <input type="checkbox"/> Have <b>neither</b> been developed nor Implemented <input type="checkbox"/> There is <b>no</b> information available on the demand for illegally obtained wild birds in the country.	Demand-side activities: <input type="checkbox"/> Have been <b>developed</b> <input type="checkbox"/> Are <b>rarely</b> implemented in full due to a lack of available resources (e.g. technical, human, financial) <input type="checkbox"/> Are based on information confirming demand for illegally obtained wild birds in the country	Demand-side activities: <input type="checkbox"/> Have been developed and Implemented <input type="checkbox"/> Are <b>rarely</b> reviewed to identify the outcomes achieved <input type="checkbox"/> Are based on information confirming demand for illegally obtained wild birds in the country	Demand-side activities: <input type="checkbox"/> Have been developed and implemented <input type="checkbox"/> Are <b>usually</b> reviewed to identify the outcomes achieved <input type="checkbox"/> Are <b>not needed</b> as data confirms that there is very little demand for illegally obtained wild birds in the country <sup>34</sup>

Comments:

<sup>34</sup> This indicator is intended to measure the delivery of demand reduction efforts within the country, although it is noted that countries that have confirmed that there is no demand for illegally obtained wild birds in their country (e.g. through targeted research) may also support demand reduction efforts in other countries.

27. Regulated community

The extent of awareness-raising materials and/or programmes are in place to increase the awareness of the regulated community, of the laws that apply to the sustainable use of wild birds.

**Question: Are efforts taken to increase the awareness of the regulated community<sup>35</sup>, of the requirements of legislation related to the sustainable use of wildlife and the penalties for non-compliance?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are <b>not</b> undertaken</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are usually informal and reactive</p> <p><input type="checkbox"/> Are <b>not</b> comprehensive or widespread</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are based on awareness raising materials that have been developed</p> <p><input type="checkbox"/> Are <b>sometimes</b> up-to-date</p> <p><input type="checkbox"/> Are <b>sometimes</b> comprehensive or widespread</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are based on <b>well-developed</b> and up-to-date awareness raising materials</p> <p><input type="checkbox"/> <b>Comprehensively</b> target the different types of user and permit holder(s)</p>

Comments:

<sup>35</sup> The regulated community could include harvesters, sellers, traders (including on-line traders) and/or any individual or group that is issued a permit and/or licence to take, use and/or trade in wild birds and their products, and/or that conducts business activities related to the trade in wild birds.

28. Public awareness actions

The extent of awareness-raising materials and/or programmes are in place to increase public awareness of IKB.

**Question: Are efforts taken to increase public awareness<sup>36</sup> of IKB and its environmental, social and economic impacts?**

Measurement:

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>Efforts to increase public awareness:</p> <p><input type="checkbox"/> Are <b>not</b> undertaken</p>	<p>Efforts to increase public awareness:</p> <p><input type="checkbox"/> Are usually informal and reactive</p> <p><input type="checkbox"/> Are <b>neither</b> comprehensive nor widespread</p> <p><input type="checkbox"/> Are <b>not</b> based on a national communication strategy on IKB</p>	<p>Efforts to increase public awareness:</p> <p><input type="checkbox"/> Are based on awareness raising materials that have been developed by conservation NGOs</p> <p><input type="checkbox"/> Are <b>sometimes</b> implemented by governmental bodies</p> <p><input type="checkbox"/> Are <b>sometimes</b> comprehensive or widespread</p> <p><input type="checkbox"/> Implement <b>only partially</b> a national communication strategy on IKB</p>	<p>Efforts to increase public awareness:</p> <p><input type="checkbox"/> Are based on well-developed and up-to-date awareness raising materials developed by governmental bodies</p> <p><input type="checkbox"/> <b>Comprehensively</b> target the different types of user and permit holder(s)</p> <p><input type="checkbox"/> <b>Fully implement</b> a national communication strategy on IKB</p>

Comments:

<sup>36</sup> Awareness-raising activities may include public campaigns, awareness-raising materials, public meetings, and/or the promotion of crime notification hotlines. When answering this question please include activities that the government has conducted and/or participated in, including activities which may have been developed or implemented in partnership with other countries and/or non-government organizations.

## Summary of scores

<i>Indicator</i>	<i>Indicator score</i>	<i>Indicator Group</i>	<i>Group score<sup>37</sup></i>
1. Number of IKB cases		A. National monitoring of IKB (data management of scope and scale of IKB)	
2. Number of IKB cases in the last year	data		
3. Status and scale of IKB			
4. Number and distribution of illegally killed or trapped birds	data		
5. National wildlife legislation		B. Comprehensiveness of national legislation	
6. Hunting legislation			
7. Prohibitions under national legislation			
8. Exceptions under national legislation			
9. Sanctions and penalties			
10. Proportionality of penalties			
11. Use of criminal law			
12. Organized crime.			
13. Transposition of international law and commitment and national legislation		C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions)	
14. National Action Plan for combating IKB			
15. Enforcement priority			
16. Stakeholders and Policy-making			
17. Staffing and recruitment			
18. Specialized training			
19. Field enforcement effort	data	D. Prosecution and sentencing (effectiveness of judicial procedures)	
20. Quality of judiciary processes			
21. Sentencing guidelines			
22. Judicial awareness			
23. Judiciary training			
24. International cooperation		E. Prevention (other instruments used to address IKB)	
25. Drivers of wildlife crime			
26. Demand-side activities			
27. Regulated community			
28. Public awareness actions			
<b>TOTAL SCORE</b>			

<sup>37</sup> Sum of the score of all indicators of the same group excluding those for which numerical data are requested (i.e. indicators No. 2, 4 and 19)