

# AFRICAN INDABA

## 2 The CITES and livelihoods process (CLP): some thoughts following events at CITES CoP16 (2013)

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To understand decisions on livelihoods taken at the 16<sup>th</sup> CITES Conference of the Parties (CoP16) in Bangkok, Thailand, and how these can be taken forward, it will help to briefly look at how the issue has developed within the Convention and then briefly look on potential steps to be taken in the future.

Few would contest that many CITES-listed species are of economic significance at local levels and that many poor rural communities can benefit economically from international wildlife trade. Africa provides many such examples. Policy-makers now recognize the need to address the dual goals of conservation and sustainable development and the role that CITES can play. However, there have been tensions between the global and national aspirations and the CITES livelihoods process (CLP) was formally initiated in 2007 to find means to support national initiatives to incentivize conservation by rural poor. Because CITES lacks an incentive mechanism for its implementation and is primarily driven by trade controls and enforcement (negative incentives), the CLP is important for the Convention's credibility among the rural poor and may result in more effective implementation.

### **Developing the CITES and Livelihoods agenda**

Sustainable use and livelihoods has always been an issue in CITES, but concerns about the impact of a CITES listing on livelihoods became more prominent in 2000 at CITES CoP11 when the Devil's Claw (*Harpagophytum* spp.) was proposed for listing on Appendix II. The proposal was withdrawn due to concerns about impacts of the listing on poor rural communities of the Kalahari who derive livelihood benefits from trade in the species. In 2004, CITES CoP13 formally recognized that listing decisions may detrimentally impact on the poor and that potential impacts need to be addressed. Resolution Conf. 8.3 on "Recognition of the benefits of trade in wildlife" was amended to the effect that the implementation of CITES-listing decisions should take into account potential impacts on the livelihoods of the poor. But how this should be implemented was contested.

Guidance on how to take account of impacts of CITES listings on the livelihoods of the poor has been developed through a lengthy consultative process. Recommendations from a workshop in Cape Town in 2006, led to the establishment of a CITES Standing Committee working group in 2007/8 tasked with developing two documents: (1) tools for voluntary use by the Parties for the rapid assessment at the national level of the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor ("Toolkit"), and (2) voluntary guidelines for Parties to address these impacts ("Guidelines").

At CITES CoP16 in 2013, CITES marked a notable success on a long road to bring the convention a little closer to accept its role as an important instrument to address conservation and sustainable development, while retaining its prime conservation agenda. CoP16 adopted a livelihoods Resolution which contains principles to be considered when implementing listing

decisions. It also adopted three Decisions addressed at stakeholders, and were presented with the “Toolkit” and “Guidelines” that outline in some detail principles for national implementation. This followed substantial work, by the CITES Livelihoods Working Group, consisting of representatives from 21 Parties and 12 IGOs and NGOs, under the chairmanship of Peru, and the rejection of initial drafts at CoP15 in 2010. The CoP16 output benefitted from two workshops organized by the livelihoods WG held in South America, and one organized by the Austrian Ministry of the Environment and the European Commission held in Vienna in 2011. The Decisions aimed at exporting and importing Parties, relevant stakeholders and the CITES Secretariat to

encourage Parties to implement the Toolkit and Guidelines at national levels, or to assist in their implementation; to develop case studies and to facilitate exchange visits between relevant stakeholders on lessons learnt from on-going conservation and sustainable use programmes;

call on Parties, intergovernmental and non-governmental organizations and public and private investors to assist implementation measures in affected countries;

call on the Standing Committee to extend the mandate of the Livelihoods Working Group and to report at subsequent meetings and at CoP17; and

call on the Secretariat to invite Parties, stakeholders and interested organizations to provide comments on the Toolkit and Guidelines for consideration by the Working Group.

### **Next steps**

The extent to which the Resolution, new Decisions and the associated framework to address the livelihoods issue will be implemented by Parties remains uncertain. Some aspects of the new Resolution refer to issues of national sovereignty that are arguably beyond the CITES mandate, such as calling for the empowerment of rural communities through stakeholder involvement and resource tenure, in addition to addressing enabling policies, *in situ* production, human-wildlife conflict mitigation strategies and others. That the resolution was passed with little opposition was quite unexpected, is good news to many, but does not necessarily reflect willingness on the part of relevant Parties to make necessary policy changes at the national level, as these issues have been highlighted since the Cape Town meeting in 2006.

But evidence that the Convention is flexible and open to change could be further observed at CoP16 where proposals to list marine and tropical timber species were adopted with clear 2/3 majorities. Given the outcome of many decisions taken at CITES CoPs on such taxa in the past, these decisions have been referred to as watershed decisions by many organizations and NGOs. The difficult task to implement such listings remains, of course.

Adoption of the Resolution suggests that CITES Parties have accepted that this issue cannot solely be dealt with by other MEAs (Multilateral Environmental Agreements) such as the Convention for Biological Diversity, as many Parties have argued in the past. It is now up to the CITES and Livelihoods Working Group, and affected Parties, to develop a broad range of relevant case studies upon which to test the generic adequacy and practicality of the Toolkit and Guidelines, and to prepare relevant recommendations for CoP17. A further necessary step includes seeking collaborative partnerships with other relevant organizations and MEAs, and may, for example, include a review of the Memorandum of Understanding between CITES and the CBD with a view to developing joint livelihood-action plans.

The recent progress in recognizing the importance of CITES and Livelihoods issues gives cautious hope for optimism. It is clear that the survival of CITES-listed species in developing countries requires a broad range of measures that are subject to local, regional and international influences. Effective conservation by CITES-listed species depends on the actions of the

international CITES community, individual Parties and influential NGOs. CITES Parties from the developed north should ask what they can do to assist the CLP, and to avoid overburdening some of the least developed countries with overly ambitious expectations, with many Parties in Africa having experienced decades of civil unrest. NGOs also have an important role to play. The CLP provides many well-funded and politically powerful NGOs with an opportunity to review their conservation policies where they may conflict with livelihoods of local communities. For example, many parts of Africa are replete with governance and conservation policy failures where “protectionist” conservation policies at the cost of local communities and also corruption have resulted in disastrous outcomes. We cannot predict the success of the CLP, but CoP16 may represent an important step in closing the gap between the conservation and sustainable development agenda within CITES.

### ***Further information***

The Report of the CITES and livelihoods workshop in Cape Town in 2006:

<http://www.cites.org/common/com/sc/54/E54i-07.pdf>

The draft Resolution and Decisions that were adopted at CITES CoP16:

<http://www.cites.org/common/cop/16/com/E-CoP16-Com-II-11.pdf>

The documents on “Toolkits” and “Guidelines”: <http://www.cites.org/eng/cop/16/inf/E-CoP16i-21.pdf>

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