Graduate Institute of International and

Development Studies (IHEID)

Geneva, Switzerland

Research Report

On

Social Dynamics and Wildlife Trade

and

Lessons Learned from Review of National Wildlife Trade Policy Review Processes

For the initiative entitled

"Enhancing National Capacities to Assess Wildlife Trade Policies in Support of the Convention on International Trade in Endangered Species of Wild Fauna and Flora"

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Social Dynamics and Wildlife Trade Study Methodology

1. Introduction

There is only a limited understanding of the social dynamics associated with wildlife trade and policies. Existing analysis remains relatively anecdotal and far from satisfactory in a context of increasing policy focus on strengthening pro-poor policy outcomes. There is only limited knowledge available allowing for informed decision-making on core livelihood concerns, particular types of vulnerabilities associated with wildlife trade and concrete opportunities allowing for more socially inclusive wildlife trade policy making.

What are the types of issues that need to be considered when understanding the social dynamics of wildlife trade? Are these mainly related to income and livelihoods, or is there a need to look further into access, tenure and property rights concerns? What is the relative importance of these concerns when seeking to understand the social costs and benefits of particular policy interventions? What are the criteria necessary to understand to what extent harvesters, for example, benefit from or bear the burden of particular harvest and trade regulations? There is a clear need for strengthened social science assessments of the dynamics at stake. This IHEID research seeks to address this knowledge gap through exploratory research in 4 country settings.

Literature reveals both positive and negative social impacts of wildlife trade policies. There may be immediate negative social impacts of trade regulations distributed differently among harvesters, artisans and local traders in terms of lost income and employment opportunities due to the disappearance of the (legal) market. The other side of the coin relates to the positive social impacts of sustainable use and trade policies. Illegal harvesting and trade may be dominated by outside groups decimating the resource base for short-term gains. Lack of property rights may drive poor harvesters towards "short-termism" thus contributing to the depletion of a species population despite the benefits of a more long-term perspective. Yet, such findings continue to remain scarce and limited to specific species or area. Clearly, more social science research is critical at this stage to generate a basic understanding of the social dynamics involved.

1.1 Objectives of the research

Recognizing the methodological and substantive challenges, Parties to CITES face in understanding and responding to the social dynamics and impacts of wildlife trade policies, the IHEID research seeks to:

- Design focused exploratory social dynamic studies complementary to national policy reviews
- Generate a better qualitative understanding of social dynamics for wider discussions on wildlife trade policies
- Inform efforts to strengthen tools and methodologies for assessing social impacts of wildlife trade policies

1.2 Planned outputs

- 4 national case studies on the social dynamics of wildlife trade policy
- Comparative analysis and technical recommendations for future social impact assessment approaches
- IHEID study

- Information brief on identified social dynamics including particular vulnerabilities and opportunities in the context of wildlife trade policy making

1.3 Practical aspects

- The research focus in terms of particular forms of trade, regions and species will be decided upon after the first national stakeholder workshop
- The research will not replace social impact assessments of the national review – but be complementary to this work in terms of exploring specific social dynamics
- Research involving a variety of social science methods will be undertaken by the IHEID team(s)

1.4 Core research questions

What are the main social dynamics associated with wildlife trade and biodiversity/ NRM policies?

How are social dynamics addressed in national and sub-national policies specific on wildlife trade?

How are social dynamics/ key asset groups addressed in WT-related policies (e.g. PA and forest management policies in source areas in VN)

What are the specific social dynamics and processes involved in terms of actors, norms and power?

How are the social costs and benefits of wildlife trade distributed and what role does wildlife trade policy (and wildlife trade policy changes) have in affecting the distribution of these?

- How are different social asset groups affected by Wildlife trade and wildlife trade policy?

What are the main internal or contextual factors impeding or enhancing social benefits and incentives linked to sustainable wildlife trade?

1.5 Core assumptions

1. Social dynamics related to wildlife trade chains and policies are poorly documented and most likely differ considerably from social dynamics associated with other product chains (e.g. commercialized NTFPs & agricultural commodities). Understanding such dynamics better is critical for current efforts to better integrate social aspects in wildlife trade policy making.
2. Wildlife trade chains are likely to be characterized by comparatively high levels of inequitable distribution of benefits, power and resources due to the particular trade context (illegality, informality etc.)
3. The highest social impacts of wildlife trade policies (both positive and negative) are likely to be seen among poorest harvesters, producers and traders with least ability to shift to other occupations or substitute products. While absolute figures regarding income generated from wildlife harvest and trade may seem insignificant, such income often represents a significant share of household incomes proportionally speaking. As a consequence, the relative importance of changes generated by policies may be quite substantial.
4. A differentiated understanding of social dynamics taking into account gender, household, social class and ethnic differences is fundamental to gain a

reasonably adequate understanding of the social dynamics and impacts at stake.

2. Theoretical framework

2.1 Defining wildlife trade chains

> "The value chain describes the full range of activities which are required to bring a product or service from conception, through the different phases of production (involving a combination of physical transformation and the input of various producer services), delivery to final consumers, and final disposal after use."(Kaplinsky & Morris 2000).

While the above-definition relates to an industrial production context, this research particularly focuses on value chains related to the production and harvesting of CITES-listed species, specimen and derivatives.

The CITES policy context explicitly addresses one part of a wildlife trade chain (relating to export and import of listed species). This being said, the notion of a chain as such is first and foremost an analytical construct to describe a series of interacting actors, transactions and relationships.

This methodological approach to the study of wildlife trade chains argues for a need to move beyond a strict focus on chains as merely value-transfer related activities, and rather see them as constituted of series of social relationships, institutions and practices if social dynamics are to be understood properly (move to assumption?).

While study of chains (etudes de filières in the Francophone context) initially concerned agricultural commodities, the approach has been broadened substantially with increasing experiences both within IHEID and elsewhere to address other value chains not least in the context of forest products. The wider advantages of chain analyses are also important for social impact studies. From a historical perspective, much value chain analysis, not least in the Anglophone tradition, took its outset in dependency theory with a sharp focus on inequities and power.

What is assessed and analyzed under the heading "value chain" analysis differs considerably. This approach argues for a need to assess trade chains from a wider socio-political angle building on the assumption that the social dynamics of wildlife trade chains necessarily require moving beyond the economic transactions involved. The structure of wildlife trade chains is often pyramid shaped with a few actors controlling export and a range of intermediary traders connecting them to the much larger base of grassroots level producers and harvesters where collection takes place.

From our methodological perspective, there is a need to not only the flow of "tangibles" (e.g. resources and money) within such a pyramid, but also the flows of intangibles as information, knowledge and power relations within the chain. Research has e.g. documented how local producers are rarely aware of the different values attributed to product at different points in the market chain. Furthermore, wildlife trade chains may involve various forms of social coercion and control, "informal governance dynamics", affecting the distribution of costs and benefits. The hypothesis is also that value chains for these types of products are relatively concentrated. Typically, only a few actors are involved in the market chain particularly the closer you get to the consumer level (see e.g. findings by Schreckenberg 2006, Broad personal communication). Mapping the distribution of values, information, power etc are also key elements of a trade chain analysis in order to identify "leverage points" in terms of the (re) distribution of costs and benefits (Mayou 2003).

2.2 Defining social dynamics of wildlife trade chains: theoretical and conceptual clarifications

The actual meaning of social dynamics or impacts remain unresolved or "fuzzy". Social and livelihood impact are at times used interchangeably and notably in conservation contexts the terminology is often used without much attention being paid to what it actually means. In other words, what is to be assessed differs widely in different perspectives and is often highlighted as a challenge by practitioners (see e.g. Ashley and Hussein 2000). Literature and practical cases are abundant with a variety of impact assessments, which in one way or another relate to social aspects. Poverty impact assessments, rights impact assessments, health impact assessment, social impact assessments, culture and heritage impact assessments. Depending on whether impact assessments focus on employment, livelihoods or food security results are therefore likely to differ substantially. Meanings shift from context to context, making use of data collected in other contexts extremely difficult. There is therefore a need to conceptually clarify the conceptual foundation of this methodology both in terms of understanding what is meant by a wildlife trade chain and in parallel how to understand the "social" element in this context.

A common starting point between livelihoods and social equity analysis is the recognition of **different levels of vulnerability and the differential impacts** of various policies and programmes and the need to closely examine such impacts on various social groupings. The World Bank in its work on Poverty and Social Impact Analysis (PSIA) speaks of the "distributional impact of policy reforms on the well-being or welfare of different stakeholder groups with particular focus on the poor and vulnerable" (World Bank 2003). This builds on the recognition of **differential impacts and vulnerabilities** among different groups (ethnicity, regions, occupational roles) as well as within groups and even within households (intra-household differences such as gender-age differences).

A key contribution of livelihoods research involves the **emphasis on assets**. The notion makes fundamental sense in a wildlife trade context, where a narrow focus on income could easily provide a distorted picture in a context where resources are being degraded. In contrast, a broader emphasis on assets does provide more holistic approach for understanding the particular livelihood dynamics. Approaches to assets typically include human, social, environmental, physical, and financial assets.

In particular, issues related to tenure and ownership aspects, considered as intangible assets, are generally recognized as critical and often affected by conservation policy measures.

Both cash-based income and subsistence factors are critical assets to monitor when looking at social impacts. An important aspect of conceptualizing these livelihood aspects in a wildlife trade contexts involves not only understanding whether people are able to maintain a given livelihood, but the extents to which people are able to "step up" (increase productivity/ incomes) or even "step out" (transit to other forms of livelihoods) (Dorward et al 2005). For an assessment it is therefore critical to situate the importance of harvesting and trade in a wider development context. To what extent can current harvesting and trade e.g. be characterized as gap-filling, last resort employment or a potential long-term pathway out of poverty (Vedeld et al 2004)? What's the role of wildlife trade and harvest in the wider context of agricultural production and other off-farm incomes?

Generating such a **dynamic picture** is arguably fundamental given that for many harvesters of endangered species, the hypothesis is that it is likely for many to be considered a transitional livelihood strategy rather than always a long-term asset. Added to this is the common lack of a **"time-dimension"** in impact assessments. Again given a context of wildlife trade often characterized by "boom-and-bust" cycles

putting viewing changing employment and income conditions in a context of a rapidly declining resource base is fundamental. For instance, loss of livelihood due to trade prohibition may just precipitate a livelihood loss, which would have happened anyway. Understanding the status of the resource base – and the sustainability of the resource - is therefore essential.

An important dimension involves **power and influence** dimensions of benefit distribution. As Jesse Ribot (1998) documents, an important aspect of commodity chain analysis also relates to the control over access to benefits – an aspect of commodity chains, which he documents through the "access mapping" assessing the distribution of benefits along the chain and "tracing out the mechanisms by which access to benefits is maintained". From a social perspective, this will among other things involve assessing resource tenure and property aspects, access to resources, markets etc. and how these may be affected by policy changes as well as informal dynamics. There is rarely as such a "level playing field", where harvesters, for example, have equal access to market opportunities.

Policy measures may shift power balances and thus the social capital of communities to e.g. benefit from trade. To what extent do policy measures have an impact on power balances in the value chain of wildlife trade regarding how products are collected/ harvested/ produced as well as how and under which conditions and how revenues are distributed[1]? Wildlife trade markets are very often imperfect due to asymmetric information, price controls and power relationships meaning that rent is captured not by local harvesters, but further down in the value chain. The governance framework will be used to capture these formal and informal dynamics.

2.3 Using the asset groups

The following list of asset groups is based on Kusters et al 2005.

These asset groups are proposed as the draft core framework for identifying major social dynamics. Depending on the specific national policy context, these different asset groups may be more or less affected/ involved. As discussed earlier, the research does not attempt to quantify these levels of changes and impact rather to provide an informed qualitative picture of the types of social dynamics involved. In addition to existing categories such as social, financial and natural, we have added "governance assets" as an additional group to track changes in terms of social influence over value chain governance.

The governance framework provides useful methodological elements to study certain elements of these social dynamics. In particular, the governance framework provides key elements for understanding the "governance assets" of different actors in the wildlife trade chain.

Asset group	Indicators
Natural	Resource population trends Physical access to target resource Legal access (rights) to target resource Legal use and property rights over resource Control over resource/ ability to exclude others Equitable access to target species among households Equitable access to other resources
Physical	Changes regarding access and ownership over tools and

[1] To what extent can chains be shortened or otherwise improved to secure better livelihood outcomes for the poorest?

	equipment used for processing Shelter and household possessions
Human	Working conditions (working hours, child labour, debt, level of formality) Food security Vulnerability / Risk
Financial	Changes in profitability[2]: - Changes in production/ harvesting costs (labour/time/equipment) - Changes in income levels Changes in access to credit Changes in savings Changes in the relative economic importance of harvesting compared to other sources of income
Social	Social cohesion among households / harvesters (e.g. sharing of benefits) Leverage with outside agents/ other levels in the trade chain Social vulnerability
Governance	Changes in formal role and position of communities in value chain Changes in influence over the distribution of benefits Changes in terms of access to markets

3. STEPS

3.1 Step 1 Generating country-specific hypotheses and research questions on the social dynamics of wildlife trade policies

Background

The first step involves generating country-specific hypotheses about social dynamics and wildlife trade policies. It is critical to generate country-specific hypotheses and assumptions linked to specific policy measures about selected existing policy interventions (concurrent), policy measures under consideration (ex-ante) or past policy interventions (ex-post), which are then assessed in more detail. It may also be useful to focus on specific types of social dynamics considered most critical or pertinent.

Approach

Interaction with the national stakeholder workshop (allocating time for questions on this) and key interviews will be critical to identify entry-points in this respect along with an initial fact-finding mission to selected areas. This fact-finding mission will use the asset-groups grid elaborated above to “screen” for key social dynamics. The hypotheses and research question should reflect:

- Major social dynamics of concern in the specific country
- The nature, scope and geographical dimension of the social dynamics

[2] Compared to assessing commercialization margins or the proportion of final price taken by different actors in the chain, economic profitability seeks to take into account both costs and estimated annual incomes entailing data collection on variable costs, labour costs and fixed costs (such as equipment, administrative fees) (Schreckenberg et al 2006).

- relationship between policy measures and social dynamics

3.2 STEP 2: Selecting case studies: identifying key products, regions and communities

Background

Certain products, regions and communities will be more relevant than others for the study of social dynamic questions identified. An important step is therefore to identify specific trade chains, regions and communities to be studied in-depth. Given the importance of thinking beyond one site/ product, this may involve exploring contrasting cases.

Approach

The approach here is to brainstorm with both traditional and non-traditional actors engaged in wildlife trade issues to identify good cases, which can help generate responses to the questions an hypotheses developed.

Selection Criteria		
Key species	Key regions	Key communities
Associated with social dynamics Relevant to particular policy dimension/ measure/ aspect being explored Contrasting species (to e.g. test particular hypothesis) Minimum 2-3 source areas allowing for comparative studies/ data-gathering Representativity Ideally some availability of baseline data	Contrasting regions with regards to policy aspect	Vulnerability dimension e.g. cases of high forest dependency Areas of wildlife trade with high levels of poverty and social exclusion

3.3 Step 3: Consolidating specific questions & data gathering strategy

Once specific species, regions or areas have been chosen the overall research questions can then be translated into specific questions. This essentially involves a two-pronged approach. On the one hand, it involve specific questions to the regions and species chosen reflecting the core series of data fields highlighted in 3.4. On the other hand, it involves highlighting specific issues or questions raised in the national policy context. In the Vietnamese case this e.g. lead to specific questions on alternative livelihood provision, the role of tenure security etc.

Core questions	Specific questions	Issues	Indicators	Sources of info
What are the main social dynamics with respect to vulnerabilities and opportunities associated with wildlife trade	In xxx region,… →			

policies? What are the specific social dynamics and processes involved in terms of actors, norms and power? How are the social costs and benefits of wildlife trade distributed and what role does wildlife trade policy have in affecting the distribution of these?	→ →			

An overall focus on the income dimension of wildlife trade policy measures, may e.g. translate into a specific question regarding to what extent xx wildlife trade policy measures have affected the income of local harvesters in xx region..

These research questions will in turn generate specific data needs and data sources. Overall, the following types of data may be considered for the collection process:

- Data on the resource, extraction and trade trends for the particular species studied
- Data needed for a basic wildlife trade chain description
- Data needed to develop a social profile/ description of the wildlife trade chain
- Data needed to respond to specific social dynamics focus
- factors which affect social dynamics and the role of
- wildlife trade policy measures
- specific questions (linked to cases)
- literature review
- field work

The next section describes key fields of data for the data-gathering strategy in more detail.

3.4 Step 4: Data gathering (key fields of data)

A. Resource, extraction and trade trends

Understanding ecological dynamics, changing extraction, yields and trade patterns of the particular species being studied is critical to understand the social dynamics of wildlife harvesting and trade in the long-term. A reasonable understanding of resource stock developments is fundamental in order to contextualize findings regarding changes in income (to e.g. understand the role of harvest/ production rates and higher production/ input costs). In some countries, certain species populations may have been monitored by other the academic communities, protected area programmes or NTFP initiatives to name a few.

A literature review should review existing data on the species concerns and point to key areas where further data needs to be gathered. It should point to areas where participatory assessments and expert judgements may help generate a more complete picture of resource, extraction and trade trends.

B. Mapping out the wildlife trade value chain

Background

Data gathered should allow for the establishment of an overview of the wildlife trade chain from producer to consumer levels. It needs to be underlined here that emphasis will be on the value chain as it relates to the communities portrayed (and not necessarily a comprehensive picture of the chain in question). It will be described as a flow chart and will attempt to describe the chain in terms of numbers of producers/ collectors/ traders, estimates of the volumes and the monetary value flows throughout the chain (see e.g Marshall et al 2006). Emphasis will be put on creating maps and diagrams that are easily accessible and potentially can contribute to further policy dialogue on social dynamics. Practically, data will be gathered through:

- Identifying and describing actors in the chain
- Secondary literature/ key interviews
- Participatory value chain analysis
- Mapping the geographical spread of value chain – e.g. to allow for some hypothesis development of social dynamics beyond the communities studied
- Estimating the relative value accruing to different levels of the chain (distribution of income and profits within and at each level of the chain)
- Mapping how policy interventions target different levels of the supply chain (Mayou 2003)
- Identifying governance structures and processes affecting the distribution of values/ benefits
- Mapping the interventions directly targeting different levels of the chain, network or system (linked to section below)

C. Social mapping / social profile

Background

There is continuous lack of systematic assessments of the social dimension of wildlife trade chains in part due to a limited understanding of the social profile of actors involved in wildlife trade. Establishing a relatively clear social profile of a selected region involved in wildlife trade is an important building block in strengthening the understanding of social dynamics.

Approach

Beyond the identification of key nodes in the chain, the research will involve gathering both key social indicators to establish a "social profile" as well wider contextual data. In terms of key social descriptors these will include dimensions related to age, ethnicity, gender, education, role within households/ communities and others. More contextual social data related to health, poverty, culture and vulnerability in order to contextualize and better weight specific findings linked to wildlife trade dimensions. The social profiles will be established through a reiterative process involving on-site visits, expert opinions, participatory assessments and the use of secondary literature. An attempt will also be made to trace out to what extent the social profile has evolved/ is evolving over time (do harvesters e.g. the same profile they had 10 years ago?). The social mapping will also involve activity mapping. What does it mean to engage in harvesting activities? How are activities organized and under what conditions do they take place? Particular use will be made of purposive sampling like snowball sampling[3].

D. Collecting data on specific asset groups identified

Background

As part of Step 3, specific asset groups and social aspects may have been identified for further data gathering. In Vietnam, this e.g. related to questions of income as well as questions of resource access and tenure security.

Approach

Data-gathering will involve participatory assessments and expert opinions seeking to assess changes in different social assets identified as critical for further in-depth assessment. The objective could be e.g. be to assess changes in income levels, changes in food & livelihood security etc depending on what has been identified in Step 3.

E. Mapping out factors which affect social dynamics

Background

What are the main factors impeding or enhancing positive social dynamics? What are the factors perceived to affect higher or lower incomes from forest harvesting and trade? The aim is to generate a clearer understanding of the relative importance of wildlife trade policy measures compared to other factors in positively or negatively affecting key social outcomes. Identifying the relative importance of different drivers and dynamics is fundamental to explore and identify different policy intervention opportunities. A key element of the analysis to effectively feed into policy consolidation or reform will involve identifying and analyzing **constraints** to positive social dynamics. Such constraints may range from lack of explicit policy focus on these concerns to constraints associated with existing socially-oriented interventions.

Approach

Data-gathering on these dynamics will be iterative based on the assets changes identified, dynamics identified by people interviews and the social dynamics of change on the ground. There is often a wide gap between policy and practice, and situating policy measures in their local context of institutional practice is fundamental to potentially understand social outcomes of policies measures. This is further critical

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[3] Snow-ball sampling involves identifying actors who target criteria (e.g. being a harvester of a particular product) and asking these actors to recommend others to talk to in the value chain. This method will most likely be required given the often difficulty of identifying actors in the chain.

in order to highlight unintended, unexpected or indirect social outcomes e.g. due to lack of implementation, corruption or lack of enforcement. Of particular importance in this context is the issue of exploring relative vulnerability of different actors to the policy-practice interface. A policy may e.g. be good on paper, but work out differently on the ground. Particularly, there is a need to gather data on how policy measures affect different social parameters such as the asset groups described further below. Exploring linkages between policy measures and dynamics will thus entail exploring how policy measures interface with issues such as:

- Income / subsistence issues
- Land and usufruct rights
- Level of participation in the management of resources
- Working conditions
- Access to markets/ market information (including e.g. barriers to entry)

3.5 Step 5: Country - analysis and report

Research findings will be summarized in a country analysis and report based on the collective effort of the IHEID team and the national research associates. The structure and contents of this report will be determined in collaboration with the IHEID team.

It is, furthermore, planned that the national findings and analyses will provide the basis for at least one article for a scientific journal.

3.6 Step 6: Presentation on the 2nd National Stakeholder Workshop

Research findings are to be presented at the 2nd national stakeholder workshop. The purpose of this presentation is to ensure that relevant findings are shared with the national review team, national stakeholders and policy makers in order to contribute to the national review process.

For this purpose, the national research collaborator is expected to prepare a summary of key research findings in the appropriate national language as well as a power point presentation to be presented.

3.7 Step 7: Dissemination strategy

The dissemination strategy will be elaborated in close collaboration with national and international partners.

At the national level, the importance of the 2nd national stakeholder workshop has already been mentioned. In addition, other opportunities for sharing research findings may be identified through discussions with national partners.

At the international level, key opportunities for information sharing will include CITES-related international processes and the CITES Secretariat. A host of other organizations are also interested in this matter, and will receive copies of the final reports.

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Country reports

Wildlife trade policy and social dynamics in Uganda

Sandra Gagnon and John Bosco Nuwe

1 Introduction

In Uganda wildlife is mostly managed through a system of protected areas under the Uganda Wildlife Authority and the National Forestry Authority. These protected areas include national parks, wildlife reserves, wildlife sanctuaries, and controlled hunting areas and cover an area of only 17%. The same organizations manage the rest of the wildlife that can be found on private land outside protected areas.

Like many countries, Uganda has embraced the governance commitments under Agenda 21, which, among others, include the empowerment of local and community groups through delegating authority and accountability for natural resources management to the most appropriate levels. However, Uganda still has limited understanding, at the policy level, of the social dynamics associated with wildlife trade and policies.

Following the Constitution that provides for the management and sustainable utilization of natural resources, Uganda has been implementing Wildlife Use Rights (WUR) since 2001 on a pilot basis in accordance with the Uganda Wildlife Policy (1999) and section 29 of the Uganda Wildlife Act (2000). Apart from this initiative, the legal wildlife trade sector in Uganda is still in development. It involves the commercialisation of limited specimens of live animals and other products from the various wild ecosystems (wetlands, forests, open water, farm land, etc.).

Lince the last few years, Uganda has undertaken a process to review the policies, laws and enforcement provisions of the wildlife trade sector. Uganda is also participating in a project, in collaboration with an international team composed of UNEP, IHEID and CITES Secretariat to review its wildlife trade policies This is viewed as a support to the policy focus on poverty reduction through sustainable use of wildlife through wildlife conservation and trade.

As a contribution to this national review of wildlife trade policy in Uganda, IHEID conducted a study of social dynamics related to wildlife trade. This study aimed at understanding the social impacts of trade in two value chain/product at all steps, from the local harvest to the international export. The specific objectives are to 1) Design focused exploratory social dynamic studies complementary to the national policy reviews; 2) Generate a better qualitative understanding of social dynamics with insights on sustainability, poverty alleviation and other national development goals; and 3) Inform efforts to strengthen tools and methodologies for assessing social impacts of wildlife trade policies.

2 Wildlife trade policy in Uganda

The overall national policy for sustainable development, exploitation and utilization of natural resources is enshrined in the 1995 Constitution:

> Objective XIII of the Constitution provides that the State shall protect important natural resources such as land, water, wetlands, minerals, fauna and flora on behalf of the people of Uganda.
>
> Objective XXVII provides for the creation and development of parks and reserves to protect the biodiversity of Uganda.

> Objective XXVIII provides for the utilisation of the natural resources to be managed in such a way as to meet the development and environmental needs of the present and future generations of Uganda.

These objectives were also the basis for the National Environment Management Policy (1994), and are clearly reflected in key government development policies and legal frameworks such as the enactment of the National Environment Statute (1995), the Wildlife Statute (1995), and the development of several sectoral policies. The later includes the Wetlands Policy (1994), the Wildlife Policy (1999), the UWA Strategic Plan (2002-2007), the Community conservation policy (2004), the Fisheries Policy (2000), the Forest Policy (2001), the Uganda's National Biodiversity Strategy and Action Plan (NBSAP) (2002), the National Energy Policy (2000), the Land Act (1998) and the Decentralisation Statute (1993) and other supportive policies, strategies and legislation such as the Plan for Modernisation of Agriculture (PMA), the Poverty Eradication Action Plan 2004/5-2007/8 (PEAP) and the Vision 2025 (1998). In 1979 Uganda imposed a total ban on hunting, but this was lifted in 2000.

Uganda has created internal processes through its policies and programmes to comply with CITES requirements, for which Uganda is signatory. These requirements include significant trade review, reporting, enforcement of legislation, regulation of wild harvesting or production systems, non-detriment and legal acquisition findings, trade monitoring, and issuance of quotas, permits and acceptance/ certificates to credited companies to manage harvesting of species. Other activities such as breeding, captive breeding, artificial species propagation and their license should reduce the pressure on species in the wild and insure a pool of specimens for exporting. Uganda wildlife (control of trade in wildlife) regulation has been drafted in 2005 in that regard and is being awaiting approval by relevant authorities.

Since 2001, Uganda has been implementing a pilot program on wildlife use rights (WUR), as provided for in the Uganda Wildlife Act (Cap. 200) of 2000 and in accordance with the Uganda Wildlife Policy (1999). The Wildlife Act vests ownership of wildlife with the state but makes provision for property rights over any wildlife that had been lawfully taken. This is a quite innovative Act aimed at streamlining, enhancing and supporting trade and conservation activities along the wildlife trade value chain. Under Sections 29 (1d), 65, 66, and 67, the Act provides for six types of wildlife use rights. These are Class A: Hunting; Class B: Wildlife farming; Class C: Wildlife Ranching; Class D: Trade in wildlife and wildlife products; Class E: Using wildlife for educational and scientific purposes; and Class F: General extraction.

The initiative was primarily undertaken to promote conservation through increased social and economic benefits of wildlife utilisation. The programme provides the framework for the local communities, private sector, local governments and the general public to derive benefits from wildlife. Wildlife capture is allowed on private land under certain quotas, in areas outside the formal protected areas, where previously habitats were being converted in favour of agricultural and other economic production systems. These benefits would therefore act as an incentive for landowners to maintain their land in a natural state and to protect wildlife on their land. They are as well a justification for integrating wildlife into land use plans by the local government and landowners. Key among the outputs of the Wildlife Use Rights Program, is the increased private sector participation in conservation efforts, and benefit sharing. More globally, this programme is seen as a strategy to promote conservation on land outside protected areas and to contribute to the local community livelihoods and country's development objectives by creating additional sources of income.

To further support these programmes, the country continues to strengthen policies that promote bi-lateral and border trade with various countries and take advantage of

trade opportunities. For Example the government works with regional arrangements such as the Union of East African Community, the Lusaka Agreement on cooperative enforcement directed at illegal trade in wild fauna and flora of 1996, and Common Market for Eastern and Southern Africa (COMESA).

In recent years there have also been a number of international initiatives to improve market access for the poorest developing countries including Uganda. The EU's "Everything but Arms" (EBA) agreement, and the United States' "African Growth and Opportunity Act" (AGOA) are two notable examples. These two initiatives have delivered modest gains for some sub-Saharan countries and have set encouraging precedents for the future liberalisation of industrial and agricultural markets.

3 Study of two value chain/products

In order to study the social dynamics, we choose to analyse a value chain. To do that, we used the Value Chain Analysis (VCA) method that consists in interviews (individuals and groups), field observations and their analysis. Meetings were organised with licensed traders, local community, associations, NGOs, and local governments to identify their views of the key issues influencing wildlife trade and its social impacts. This allowed for the identification of the key processes, stakeholders, and challenges/issues along the value chain.

In Uganda, the Wildlife trade sector is still in its infancy and has no organized and structured private sector. However some growth is observable through initiatives of some companies in specific sectors. These sectors include trade in wild animals (birds, reptiles, insects…), trophies and other wildlife products. We selected chameleon's trade and trophies hunting as focus for our studies since these two have been going on for a considerable period, allowing the study to obtain useful data.

3.1 Trade in live chameleons

The value chain or production-consumption chain for chameleons encompasses the whole range of actors and activities involved in the management, production, and marketing of a chameleon product. It also refers to relationships established between actors involved directly and indirectly in the value chain (e.g. producers, trappers, distributors, traders, and communities) and the regulatory and support institutions.

A specific case was chosen to illustrate the social dynamics at each steps of a value chain. This value chain is organized around the trapping of live chameleons in areas outside protected areas. A trader, Tropical Fauna LTD, employs trappers to catch animals and to take care of them in a holding ground. The major type trapped is an CITES appendix II species, the Side Striped or Two Lined chameleon (Chamaeleo bitaeniatus). Others species on CITES Appendix II, allowed for regulated trade, include the Flap-Necked Chamaeleon (Chamaeleo dileptis), the Montane Side Striped or Mountain Dwarf Chamaeleon (Chamaeleo elioti), the Graceful chameleon (Chamaeleo grantis), the High-Casqued/Helmeted Chamaeleon (Chamaeleo hoehneli) and the Rwenzori Tree-Horned or Johnston's Chameleon (Chamaeleo johnstoni).

The trapping occurs in the Wakiso district and Lutembe village where the company operates since the last few years. Animals are kept In a holding groun, before exportation. Thirty percent of the catches are supposed to be kept in place, to allow breeding and trade from bred animals. However, it was not possible to see holding ground with good populations that would allow verifying the level of compliance; very few animals at all could be observed.

We focused on the socio-economic links among the landowners, trappers, trader, local users of resources and the influence of the regulatory institutions and policy. Interviews were performed with most of these actors.

Functioning of the chain

The programme of wildlife use is undertaken under the framework of the Uganda Wildlife Policy (1999) and section 29 of the Uganda Wildlife Act (2000) since 2001, and under the wildlife use rights (WUR) pilot project. Individuals and companies interested in wildlife trade apply to UWA for a licence. These licenses cover the capture, the breed and the export of wildlife species. UWA rigorously screens such applications using an established set of criteria from CITES, national and other policy requirements. The licence is given as a WUR (Class A, B, C, D, E, and F) together with an approved annual quota of species. UWA determines the species and quotas to be traded, according to its evaluation of the species population status (see Annex 1 for quotas for chameleon's species trading).

Species are trapped from the wild, outside the protected areas and kept at the grantees' holding grounds. These grounds are monitored through the collection data forms approved by District Environment Officers and then submitted to UWA by the grantees. At the time of export, formal requests for permission to export are made to UWA, which issues an export permit and conducts export inspections. For CITES-listed species, a special CITES export permit is required from CITES Management Authority. The appropriate fees are paid to UWA and the relevant returns (customs-stamped documents) are submitted to UWA.

The company pays the annual licence fee to UWA of US $ 1500. In addition, an animal fee of US $ 2 per chameleon is levered. The trapper normally works with local children to locate the chameleons and pay them Ug. Shs 200-300 (i.e. US $ 0.1). This "economic" activity is not transparent and the landowners were, up to very recently, not aware of it. The trappers may earn up to Ug. Shs. 300,000 (US $ 15) per months.

National management and administration

The administration and management functions related to wildlife trade are vested in two lead agencies under Ministry of Tourism Trade and Industry (MTTI): Uganda Wildlife Authority (UWA) and the Commissioner Tourism and Wildlife, which is the CITES Management Authority (MA)[4]. The MA has responsibility for issuing permits, emitting quotas and communicating with other Parties and the Secretariat. It is highly involved in policy development. Its human capacity is very low, with only two officials, as is its financial capacity. The Commission of Tourism and Wildlife is the only authority that has the mandate to issue CITES documents[5].

UWA is a key player in terms of wildlife policy. It is the national management authority for protected areas and for wildlife (in and outside protected areas), and it is

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[4] When Uganda became Party to CITES in 1991, the Game Department was designated as the CITES Management Authority (MA) and Wildlife Departments as the Scientific Authority (SA). It is only after a government institutional reorganization in 2000, that the office of the Ministry of Tourism, Trade, and Industry (MTTI) was designated as the CITES Management Authority and UWA, the Forestry Department and the Fisheries Department were designated as Scientific Authorities.

[5] The idea of developing a different institutional arrangement: The Commission of Tourism and Wildlife would be designated as the lead MA and UWA, Forest Inspection Division and Department of Fisheries Resources designated as additional MAs for certain categories of species. This could facilitate all the activities related to the issuance of CITES documents.

the CITES Scientific Authority (fauna) for Uganda[6]. The formal mission statement of UWA is to conserve and sustainably manage the wildlife and PAs of Uganda, in partnership with neighbouring communities and other stakeholders, for the benefit of the people of Uganda and the global community. UWA is responsible for issuing licenses for Wildlife Use Rights, for import and export permits and, in collaboration CITES Management Authority, they are allocating quotas and coordinating national implementation of the Convention. Its law enforcement staff monitor conformity with wildlife use permits and work with the Uganda Police Force and Customs to impose sentences when required[7]. In terms of area of capacity, UWA members staff work in community conservation and law enforcement, as well as other relevant professional areas.

Both UWA and MA play a key role in developing wildlife trade policy but also in implementing it. General enforcement functions are often fulfilled or overseen by UWA with the support of various authorities with a specific law enforcement mandate (for example wildlife ranger, wardens and Districts officials, especially Environment and Natural Recourses officers), or other law enforcement agencies (e.g. police, customs, judiciary system).

However, for both MA and UWA, complains from the part of several traders persist when it comes to offices linkages and bureaucratic processing that are time consuming and do not facilitate the trading activity.

UWA and the CITES Management Authority collaborates with scientific authorities such as the National Forest Authority and other lead agencies to provide scientific and technical support. They receive support from research institutions like Makerere University and National Council for Science and Technology in the monitoring of population status, on quota setting and on granting of permits. However, these institutions lack technical and financial capacities to properly coordinate their work[8].

District Environment Officers

As reported by the Wakiso District Officers, the role of the District involves the verification of capture permits from UWA, verification of trappers or licensees before wildlife capturing, verification of the collected animals, reception of the wildlife collection data sheets (that specifies the species collected), supervision of the capture in areas of collection of the district, recording of species collected and their numbers, sensitization, provision of advice on areas for capture and other relevant issues, as well as assisting UWA and other law enforcement units in monitoring Illegal wildlife trade.

In spite of this substantial number of functions, the resources available for the environment officers stay very low. They revealed constraints on various aspects including, financial, manpower, transport, and technical knowledge about wildlife and its trade. This can have serious consequences. For example, they had never visited

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[6] This parastatal body was formed through a merger of the former Uganda National Parks and the Game Department, as provided for in the Uganda Wildlife Statue (1996). It is governed by a Board of Trustees appointed by the Minister responsible for wildlife (currently in the Ministry of Tourism, Trade and Industry).

[7] Illegal trade, forgery, fraud and corruption are not so frequent, but are occurring.

[8] Other institutions related to wildlife (but necessarily fauna) policy include, the Ministry of Water and Environment, that houses the National Forest Authority, the Forestry Inspection Division (CITES Scientific Authority) and NEMA; The Ministry of Agriculture, Animal Industry and Fisheries (MAAIF), that houses the Department of Fisheries Resources (CITES Scientific Authority) and the Department of Plant Protection; and The new Ministry of Lands (formerly included in the Ministry of Water and Environment).

the areas where chameleons are captured, they have no ideas of the price of chameleons and no inventories and monitoring is being undertaken. The District Officials sign the wildlife collection data sheets without verifying, seeing, or counting the animals collected. The office receives no wildlife trade benefits[9]. In addition, it was observed that the district officers have little interaction with the wildlife management agencies of the central government like UWA.

Socio economic diagnosis for chameleon trade

Chameleon trade, like any other wildlife products, involves a number of actors with various roles, responsibilities, action mode, interest and power. This trade, and the policy that allows or restrict it, in return has an impact on these actors, on their livelihoods, at all the levels of the chain.

In Uganda, most of the collection of wild live animals for purpose of trade occurs on private land. In most of these cases, as we can see in the case studies, local communities are very poorly involved, and the profits are in the hands of the company doing the trade.

Dewe village Association

Lutembe is part of the Murchison Bay called Lutembe Bay wetland located at the Northern shore of Lake Victoria in Wakiso District. The Wetland is rich in Biodiversity with many species of plants and animals, including 108 species of waterfowl birds of which 26 are Palaearctic migrants (Byaruhanga, 2002). It has been proposed to be designated as a Ramsar Site. Tourists, from all over the world, are coming to visit this site.

The communities surrounding the Bay have formed an association, the Lutembe Wetland users Association, in order to obtain benefits from the use of the wetland. Local guides are trained by Nature Uganda to guide tourist in the wetland. 10 % of the revenues go to the Association. In addition, they are being involved in the development and organisation of the use of the wetlands, which is aimed at sustainability.

When it comes to the chameleon business, neither the Ddwele village association nor the Lutembe Bay communities are involved. In fact they are not aware of the business that is going on. The communities gain nothing, even if the chameleons are very abundant and taken from public and private land in their neibourhood. Children are involved for very little money. Before knowing the trade that is going on, the whole community felt that the chameleons are not their property, but the property of the State.

The idea is that the communities could be involved and that the same 10 % could be applied and rewarded to association members, for wildlife collected from their land. According to the Ministry of Water Lands and Environment Wetland inspection division, Lutembe Bay Management plan 2004-2006 indicates that the wetland areas covers two sub-counties Ssisa and Katabi and stretches within three parishes of Bweya, Namulanda, and Kisubi. The total population of the three parishes is 26,041 (6,778 in Bweya 7,427 in Namulanda and 11,836 in Kisubi). This totals a high number of people that could benefit such a scheme.

Most Lutembe Bay households have small land holdings, too small for economic exploitation and mechanization. Land tenure is a combination of mailo, bibanja and lease hold system. The land owned by both the small land owners and the nearby flower farm is still well endowed with wildlife.

There are several activities developed in the area. These include tourism guiding in collaboration with private investors of the Lutembe Hotel owners. The Lutembe Bay wetland association is also being supported by other commercial enterprises such as horticultural farm owned by Dr. Clement, sand mining, and stone quarrying. These activities provide employment to local people. There is, however, a concern by NEMA, about the impacts of chemicals/fertilisers from the flower gardens upsetting to ecology of the aquatic system and effect on water for domestic use.

For the local community of the Lutembe Bay wetland association and other residents, the environment directly provides various services, amongst others the construction and craft materials (papyrus, grass), energy products (firewood), drinking water, subsistence agriculture, medicines, fish and wild animals including chameleons.

The community is already getting organised and a "culture of community development" is being rising through the association.

Other initiatives in the region contribute to this community rising of awareness. Co-management approaches are being promoted in which communities are equal partners in managing fisheries resources. This comes from the Fisheries law that delegates legal power to the local people and other stakeholders to form a management group called Beach Management Units (BMUs).

The community showed interest in being more involved in the chameleons trading activities, including training in identification and handling of wildlife especially snakes, chameleons and birds. Although many elders have knowledge and cultural attachments to the chameleons and other wildlife, their level of knowledge, in terms of species identification, business, market and prices, and capture technique, was very low. As well they wish to participate in the trade since they bear the stewardship over wildlife on their private land. Up to very recently, they were not aware of the potential money they could derive from it.

The private sector

Private actors in Uganda play a key role in wildlife trade. With their flexibility and ability to monitor and take advantage of opportunities in the market place, they are able to influence the planning and development of activities such as capture, breeding and data collection both in PAs and on private land. They are also leading in terms of promotion and marketing of wildlife trade (both domestic and international). Their influence on the policy is not very strong, as reported by several of them. They have the ability to relate easily with actors along the chain i.e. Government (central and local) and communities. They are a strong player in developing and strengthening the value chain. Very few companies dealing with reptile, including chameleons, are registered in Uganda (see Annex 2). Two companies, the Tropical Fauna Ltd and Navina Exports Ltd, are actively trading in chameleons.

The level of knowledge of the trading companies is fairly high in terms of species, market and planning. However, several questions during the study, showed a weak level of information flow with respect to: bureaucratic formalities and delays in the processing of export permit requests; alleged application of CITES requirements for non-CITES species; government's cautious setting and planned allocation of quotas (which has resulted in a low volume of trade shared among a limited number of firms); potential for trade in additional CITES Appendix II and III listed species; continued wildlife use pilot projects rather than the authorization of permanent operations; and potential for developing more captive breeding operations.

Up to now they took advantage of the lack of knowledge of wildlife trade issues in the community, to go on with their business without caring much for the livelihood of the

later. They did nothing, before our study, to make their business more transparent. Things are about to change, partly due to the information that is coming to the communities, through the Association, and potentially through changes in the policy.

Their business seams financially healthy. However, they expressed some difficulties with respect to the trading aspect of their business. There are no international arrangements that insure good financial flow with the clients: The later can fail to pay or pay with delay, and this obviously complicates the business.

Internationally funded NGOs and Donors

The non-governmental organisations such as Wildlife Conservation Society (WCS), Nature Uganda, Wildlife clubs of Uganda and Uganda Wildlife Society are quite influential players due to the amount of money they control. Their action is generally oriented toward preservation rather than use of wildlife. They can influence local people or local governments to maintain conservation activities and often they block wildlife use for the period they can offer alternative revenues. The same applies for the related donors.

At the national policy level, wildlife trade is increasingly seen as one of the mechanisms to improve the livelihoods of the local communities. Once the national policy is clearer with respect to wildlife utilization rights and when it will promote activities such as wildlife farming, ranching, monitoring, breeding, technical facilitation and training, then there should be less space for the preservation' influence of some international NGOs and donors. If this occurs, it would represent an important paradigm shift (that can already be observed in various national and international contexts).

3.2 Trade in Trophy hunting around Lake Mburo National Park

The value chain in trophy hunting is slightly more complex. It encompasses the whole range of actors and activities involved in the management, production/ ranching, hunting and marketing of trophies. The chain involves various actors (provider, hunter, regulatory and support institutions) and a product that belongs to both private land and protected areas. It has been developed as a pilot project in the Lake Mburo area.

Lake Mburo National Park (LMNP) was gazetted a National Park in 1982. Covering an area of 370 km^2, it is located entirely in Kirihura District, in the central part of south Uganda. The park borders seven sub-counties[10] and 16 parishes.

LMNP may be a relatively small park, but it contains significant populations of large mammals, of a total of 69 species. It is home to the waterbuck, hippopotamus, topi, buffalo, eland, bushbuck, warthog, bush duiker, impala, zebra and bush pig. Due to the fact that the park was originally larger than it is currently and to the human activities that include clearing vegetation for grazing pasture, charcoal and firewood, the habitat for the animals is sometimes better outside the park[11]. Indeed, a large number of animals permanently reside outside the park's boundary, while others move in and out of the park.

Several problems are associated to these movements. Wild animals destroy crops as well as fences, watering holes and cattle salt licks. In addition they compete for resources with the livestock. In fact, most of the permanent sources of water in the area are within the boundaries of LMNP. In return, livestock is formally not allowed in

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[10] Rugaaga, Kabingo, Sanga, Nyakashashara, Rubaya, Kanyaryeru and Masha.

the park boundaries, where they are very often encountered. This brings conflict between the neighbouring communities and the park wardens. The desire for a harmonious coexistence and the need to address local peoples concerns and aspirations was the fundamental basis for implementation of community conservation programmes such as the Conservation Education, revenue sharing and sport-hunting programme.

The case study focuses on the Kirihura District. Since 2001 Game Trails has been conducting hunting safaris in the area, which have generated economic/financial benefits. These benefits are shared among stakeholders, including associations of landowners. These associations have managed to construct 3 classrooms, 3 staff quarters and 2 water dams using sport-hunting revenue. Communities in the parish therefore view the programmes as a positive trend and hence are getting more involved in conservation activities. Wild animals now stay on private ranches with little complaints by ranchers.

Interviews were conducted with the Lake Mburo management staff, adjacent ranch (land) owners association (Rurambiira Wildlife Association), traditional and sport hunters, the District Officials, and the trader – Game trails Ltd.

Functioning of the chain

The sharing of the benefits from the hunting activity emerged from discussion and agreement between the community of Rurambiira Wildlife Association and UWA, at the setting of the programme. The revenue accrued from the animal fees of the sport hunting would be shared as shown in Table 1, in addition to other fees that are also being paid by the sport hunter company (Table 2).

Table 1: Distribution of the revenues from sport hunting

Stakeholder' group	% share
Rurambiira wildlife Association	65%
Sub-county (Nyakashashara)	5%
Community-Protected Area Institution (CPI)	5%
Lake Mburo Conservation Area land owner	15%
UWA	10%

Table 2 Fees paid by the sport hunter company

Fees	Amount (US $)
Entrance fee to each association	100
Professional hunters Licence fee to UWA	1500
Trophy handling to UWA	100
Annual wildlife use right fee	100
Rifle clearance	Known to Game trails Ltd
Rifle certificate	Known to Game trails Ltd
Guiding	Known to Game trails Ltd
Camping and catering	Known to Game trails Ltd

Formal and legal aspect of the chain

Following Uganda Wildlife Act (Cap. 200) of 2000, the wildlife use rights class A: Hunting was used to initiate this programme of sport hunting. In 2001 the Government of Uganda authorised Game Trails (U) in collaboration with Rurambira

Wildlife Society, a community based organisation to implement a one year sport hunting pilot project, on ranches number 45, 46, 47, 48, 49, 50, and government ranch that form Rurambira parish. The project was managed with other stakeholders that play a key role through a memorandum of understanding/agreement between Government and the Rurambira Wildlife Association (benefiting 120 households) on one hand and Game Trails (U) on the other hand. Later two other associations adjacent to the park – Nyakahita Wildlife Management Association and Rwakanombe Wildlife Management Association, were also incorporated. The purpose of this pilot was to test the feasibility of community based sport hunting as a conservation concept and for providing communities on whose land there is wildlife, economic benefits. Given the success of the initiative, the project was extended each year.

National management and administration

As mentioned in the section on trade in wild animals (chameleons), CITES management authority (MA) oversees and control the commercial trade in CITES listed species. These are those listed in Appendix II and III of the Convention. With respect to this pilot trophy-hunting project, these include Hippotamus (Hippopotamus amphibious). The trade in this animal is allowed, as provided for in the Convention text[12]. With respect to the species listed on Appendix I, i.e. species that are threatened with extinction, trade is generally prohibited, but allowed according to limited national quotas for specific purpose (e.g. personal effects, scientific). For the pilot trophy-hunting project, only the leopard is concerned (Panthera pardus). Uganda requested, at the last Conference of the Parties (CoP14), to allow the hunting and trade, for the exclusive purpose of sport hunting for skins to export as personal effects. This was accepted and Uganda was permitted an annual export quota of 28 leopards for the whole country. The MA works closely with Uganda Wildlife Authority (UWA), the Scientific Authority to manage wildlife trade according to the Convention. Other animals concerned by the trophies hunting activity include waterbuck, topi, buffalo, eland, bushbuck, warthog, bush duiker, impala, zebra and bush pig.

In addition to the role and responsibilities of UWA, as discussed in the section on trade in wild animals (chameleons), the following aspects are relevant for this pilot project. UWA law enforcement and community conservation departments, based in Kampala and Lake Mburo are responsible among others for synthesizing the information for stakeholders, especially the community, as well as coordinating operations aimed at monitoring, reducing and ultimately eradicating illegal wildlife trade. Furthermore UWA has constituted a multidisciplinary wildlife use right committee composed of wildlife biologist, researchers, veterinary doctors and social scientists that is responsible for guiding and facilitating implementation of the wildlife use rights programme.

Socio economic diagnosis

UWA, Game Trail Uganda (GTU) and local communities earne revenue from sport hunting. These revenues include among others: professional hunters licence, trophy handling charges, hunting block entrance fees, gun clearance, guiding, camping and catering, and annual wildlife use right fees. Tables 3 and 4 show the distribution of the benefits generated for the animal fees. The total income was of 181,510.00 USH, including the 65 % for communities, or USH 117, 981.50 (UWA.2006).

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[12] The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when specific conditions are being met, including proof of non-detrimental effect on the population and of lawfully acquisition of the specimen.

Table 3: Revenue generated from animal fees (in USG)

Name of Animals utilized		Fiscal year						
Scientific	Common	2001/ 2002	2002/ 2003	2003/ 2004	2004/ 2005	May 2006	Total revenue	65% Community
Papio ursinus	Ba-boon	-	-	-	-	90.00	90.00	58.50
Syncerus caffer	Buffalo	6,000.00	7,200.00	7,800.00	9,600.00	6,500.00	37,100.00	24,115.00
Trageraphus scriptus	Bush-buck	2,250.00	2,000.00	3,750.00	2,750.00	2,400.00	13,150.00	8,547.50
Potamochoerus porcus	Bush-pig	150.00	. 0.00	300.00	-	-	450.00	292.50
ylivicapra griimmia	Duiker	130.00	520.00	130.00	390.00	600.00	1,770.00	1,150.50
Tragelaphus oryx	Eland	4,200.00	3,000.00	3,000.00	2,400.00	2,600.00	15,200.00	9,880.00
Hippopotamus amphibius	Hippo	1,500.00	1,000.00	1,000.00	2,000.00	1,000.00	6,500.00	4,225.00
Aepyceros melampus	Impala	5,500.00	4,750.00	6,500.00	6,500.00	4,800.00	28,050.00	18,232.50
Ourebia ourebi	Oribi	900.00	750.00	450.00	900.00	900.00	3,900.00	2,535.00
Redunca redunca	Reed-buck	1,250.00	1,500.00	750.00	1,750.00	1,500.00	6,750.00	4,387.50
Damaliscus lunatus	Topi	1,400.00	1,400.00	2,100.00	2,450.00	1,200.00	8,550.00	5,557.50
Phacochoerus aethiopicus	Wa-rthog	3,500.00	2,000.00	1,500.00	3,500.00	2,700.00	13,200.00	8,580.00
Kobus ellipsipymnus	Waterbuck	5,000.00	5,000.00	4,500.00	5,000.00	3,300.00	22,800.00	14,820.00
Equus burchelli	Zebra	2,500.00	3,500.00	3,500.00	9,500.00	5,000.00	24,000.00	15,600.00
TOTAL		34,280.00	32,620.00	35,280.00	46,740.00	32,590.00	181,510.00	117,981.50

Table 4: Revenue generated by sport hunting project and its distribution (UWA, 2005)

Years	**Ratio of animal fees to parties**					
	Wildlife Association (65%) $	**UWA (15%) $**	**CPI (5%) $**	**Local Government (5%) $**	Landowner (10%)	**Total**
2001/ 2002	22,952.00	11,420.00	1,684.00	1,684.00	00	37,740
2002/ 2003	21,755.50	8,367.50	1,673.50	1,673.50	00	33,470
Jan - June 04	12,044.50	2,779.50	926.50	926.00	1853.00	18,530
Total	**56,752**	**22,567**	**4,284**	**4,284**	**1,853**	**89,740**

Local community

According to Muzoora (1995), the Banyankole are the dominant ethnic group around LMNP, comprising about three-quarters of the population. Within the Banyankole, there are two distinct groups of people: the Bairu (about 43%) who are predominantly cultivators and the Bahima (about 29%), who are mainly doing livestock managements. Other ethnic groups include the Bakiga and Banyarwanda. These communities are culturally rich but in modern terms they are relatively poor.

Within the 3 Rurambira villages, including members of the Rurambiira wildlife Association, a standard participatory rural appraisal (PRA, World resource Institute, 1990) was completed to obtain general information on community socio-economic characteristics. To do so, a representative sample of 10 households including 6 members of the association was selected and detailed interviews were performed with a household member to obtain information on resources used and local market values.

The majority of the households are engaged in grazing cattle, goats and a few have gardens of crops. Only two households have received money directly from sport hunting. According to the survey of households, the majority (7 out of 10) of the households are classified as medium, which involve semi permanent house, that children are going to school, that they have less than 50 cows, and that they do not hired labour (see Annex 3 for details of the survey results).

The funds that were generated from sport hunting were used to construct class-room blocks at Kasheshero Primary School, staff houses and a health unit (UWA, 2005).

Some of the respondents perceive sport hunting as an economic activity that contribute to the general welfare of the community, through revenue and community projects such as schools and dispensaries. In addition, some of them feel that hunting wild animals relieves them of some problem animals. This money received by the association of landowner benefits the community as a whole, not as individual household. This leads to a lack ownership experienced by some landowners with respect to this activity.

It is clear that there is limited devolution of wildlife trade power in terms of influence on the policy to the lower governments and local people. Most decisions are made through top down approaches.

Requirements and paper work to undertake formal or legal harvest is very complex. So they turn out to be poorly understood, and not locally owned. This may lead to short-term thinking and unsustainable harvest.

A change in attitudes towards wildlife could be noted in some people that is why consequently the project was extended to two more parishes in Nyakahiita and Nombe.

It is important to note that this whole activity concern local people that own land. Those that do not hols land, but live in this area, for example the “Bararo”, remain excluded from this entire sector and its benefits. They do not even know of the existence of the sport hunting activity and were, up to now, not involved in any policy discussion or conservation project.

This project is likely to continue generating revenues to the local communities, the hunting operators and UWA. A sport-hunting programme for ungulates in livestock ranches and rangelands surrounding LMNP has allowed an increase in the population of impala since the introduction of the programme (Lamprey, 2006). This is true for ungulate populations both inside the Park and in the neighbouring ranches. In addition, community members perceived that the level of poaching has reduced. Table 5 shows the increase of the animal population.

Table 5. Wild animal's populations increased from 1999 to 2006 (UWA, 2006)

Animal	1999	2002	2003	2004	2006
Zebra	2,249	2,665	2,345	4,280	5,968
Buffalo	486	132	1,259	946	1,115
Waterbuck	598	396	899	548	1,072
Hippo	303	97	272	213	357
Impala	1,595	2,956	2,374	3,300	4,705

Traditional Hunters

Despite the hunting ban in Uganda since 1999, traditional hunting is still practiced at large in and around LMNP. This illegal activity is done by traditional Banyankole men, from poor origin. They hunt mainly to supplement their deity. In addition, game meat consumption is a delicacy to some homesteads. According to few hunters of the Koki sub county interviewed, the illegal wildlife trade supplements their livelihood in terms of food and sometimes they get money out of sales. In spite of the secretive nature of this activity, they revealed that they normally hunt buffalo, warthog's, impala and rarely hippopotamus. At the end a hunting period they can get approximately 40,000 USH for buffalo, 10,000 USH for a warthog and 7,000 USH for an impala. They said they normally go twice a year. They could not reveal how many wild animals they kill per hunting season but some other person interviewed in the area mentioned that they might kill around 4 buffalos, 10 warthogs and 20 impala.

Private sector

The only company involved in sport hunting so far is Game trails (U) Ltd. It was licensed by UWA to undertake professional sport hunting, requiring that all quotas of animals should be hunted and exported as trophies. This company was allowed to pilot the sport hunting.

Internationally funded NGOs and Donors

This whole project has attracted donors, and their funding is adding to the benefit of the project to the community. Funded activities include education and communication and outreach programmes. In the area surrounding LMNP, these activities were previously carried out under the USAID – funded African Wildlife Foundation (AWF) project, which ended in 1998. LMNP has a Conservation Education Centre (CEC), which was constructed and equipped with support from USAID, IUCN and other donors.

In additions AWF's Lake Mburo Community Conservation Project carried out protected area outreach programmes. They are implementing the parks Community Conservation Programme, entirely through park management structures and staff. They are also working to build capacity within the park's management system to implement Community Programmes.

At the moment the LMNP Ankole Cow Conservation project is working towards promoting the integration of conservation of Ankole Cows and natural resource management in and outside LMNP. Although newly started, together with wildlife utilisation programme, this initiative may enhance socio-economic development through initiation of income generating activities in the local communities. This is a very good project that can work well with the on going sport-hunting through the inclusion of Ankole cow traditional tourism and hunting. It can also generate additional funding and activities that can benefit local communities.

Conclusions

The responsibility for wildlife management and ownership in Uganda is in the hand of the Government. However, it appears from this study that wildlife management and its trade especially on private land cannot depend solely on Government institutions without the full support of Districts, communities, the private sector and other relevant stakeholders.

The existing policy is not promoting sustainable use and trade of wildlife in various aspects. First, the Wildlife Act Cap 200 maintains States ownership over wildlife but allow people's property rights on any wildlife that had been lawfully taken. However, the present arrangements do not require the dealers/traders or UWA to seek for and obtain consent from the local landowners and communities or land owners in those areas to be impacted by their activities. Therefore, this Act is not landowner friendly since it inhibits the initiatives for entrepreneurship and rewards from stewardship in wildlife trade sector. The consent arrangement should take the form of binding agreements with respect to the obligations and expectations of the parties involved. The development of such agreements could be included in the wildlife policies to allow Central Districts, local government, communities and the private sector to equitably, or appropriately, share the associated costs and benefits of wildlife trade.

Second, at the moment the policy guidelines for wildlife use rights and partnerships in the potential wildlife trade areas between Government, Districts, Local Councils and communities are still unclear and not well understood by key actors. This could be overcome through a policy mechanism that would allow appreciation of each stakeholder's objectives, roles, responsibilities and rights, as well as through common strategies that allow sustainable wildlife production, processing and trade. A strong national or regional sensitization program to promote positive attitudes towards this non-traditional trade sector could be a step in the long-term sustainability in terms of wildlife utilization on private lands (outside protected areas).

As a greater part of the wildlife traded is found on areas outside PAs, community participation in sustainable wildlife trade development is crucial. Sustainable trade of wild animals existing on private land and conservation of their habitats are likely to be improved if an economic value is envisaged by stakeholders. The outputs of the current sport-hunting project outside LMNP are good testimony. Furthermore it has been observed in this study that attachment of economic value to wild animals on private land by residents greatly contributes to positive change in attitude towards wild animals in general and leads to increased protection.

The economic benefits from sport hunting also contribute towards uplifting the standards of rural people through improved social services and welfare. For example the local community was able to construct classroom blocks, staff houses and a health unit using the funds that were generated from sport hunting. The policy provides for some empowerment to local people. As a result, they formed Rurambira Wildlife Association and are now able to receive a share of the benefits associated to wildlife trade. This promotes participation of residents in local areas, protection of wild animals on private land, which was also put in lights in the 2006 UWA report. However, as some members of the association say, these are in a way replacing government services. Some of them are strongly feeling that the money from the project should have been shared on cash basis among the members instead of supporting community projects. In addition, local people that do not have land but live in this area, for example the "Bararo", remain excluded from this entire sector and its benefits, even though their activities and life are highly dependent on the natural resources. They do not even know of the existence of sport hunting and were, up to now, not involved in any policy discussion or conservation project.

An important issue that should be mentioned is the one of making the trade more transparent, with respect to the pricing system along the value chain, the opening up of new hunting areas in Uganda and trading companies (professional hunters). Other challenges identified to the development of the trade include specimens mortalities, limited breeding skills, poor transportation and handling facilities, lengthy licensing and inspection procedures as well as the supply related issues such as capture and handling techniques, breeding and multiplication, resource monitoring, resource assessments and distribution.

Beyond economic incentives, cultural and socio economical elements are also driving wildlife trade. After all, people need to secure a food supply and health care (from herbal remedies to ingredients of industrial pharmaceuticals), practice their religion (sometimes requiring live animals and a wide range of wild plants and animal parts), and obtain industrial and building materials. Having very poor people in the country has serious implications for conservation. Poor household are likely to have limited economic alternatives and are more dependent on the natural recourses for their subsistence, or as an income source. Human also enjoy collecting things, including live plants and animals and a range of wildlife specimens and curios; buying clothing and fashions such as leather, furs and feathers; and engaging in sport, including trophy hunting and falconry.

All wild species in and outside the protected areas in Uganda are under common property regimes i.e. they are state property. There are always disputes between law enforcers and resource users especially outside the protected areas. Where the UWA staff control is unavailable or ineffective or breaks down, the protected area becomes open access, the condition that inspired the coining of expression “tragedy of the commons” (Hardin, 1968). There is a range of economic measures and instruments needed to be introduced and used to help address these concerns, including: property rights – so that local communities are fully involved in the management of land and biological resources including identification, handling and breeding; market creation – to target the residents transparently and increase their economic gains and control over biodiversity; and financial instruments so that local communities can invest in alternatives to biodiversity-depleting activities.

Since there is need to have wildlife trade policies that will lead to sustainable utilization of wildlife in Uganda, it is crucial to consider the incorporation of cultural values that support enterprises for game farm/ranch owners and that protect wildlife and promote conservation and development. The consideration of customary principles in the review consultations and negotiations of wildlife trade policy may promote local standards of behavior rights and obligations.

In general, it is recommended to address more comprehensively, within the wildlife trade policy, the following points: adequate awareness amongst the population of the importance of wildlife and the value of conservation; means for technical capacity building for successful and sustainable implementation of the WUR programme; real devolution of power to districts and lower local governments and empowerment of local committees and associations; development of environmental action plans integrating the ecosystem approach and cooperative or regulatory frameworks for cross-local administrative border management of natural resources and habitats in which they live; and involvement of the private sector in environmental management. There is also a need for integrating wildlife into land use plans by the local government and landowners.

Rapid and lasting success of wildlife trade will come from innovative conservation educators and traders who work directly with the full range of people involved in expanding human commerce. These inclusive and proactive partnerships will develop socially and ecologically sound programmes to satisfy the human needs that

now drive the illegal and unsustainable commercial extraction and consumption of wildlife in the country.

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Annex 1: Quotas for chameleon's species trading

Name of animal		CITES Appendix	No. of animals licensed for export							Total
Scientific name	Common name		2000	2001	2002	2003	2004	2005	Sep 2006	
Bradypodion (chamaeleo) adolfifriderici	Ituri forest chameleon		0	0	0	0	50	0	0	50
Bradypodion xenorhinum	Single Welded horn Chameleon		0	0	0	0	80	0	85	165
Chamaeleo anchietae	Anchieta's/Angola chameleon	II	190	0	0	0	0	0	0	190
Chamaeleo rudius	Rwenzori Side stripped (Coarse Chameleon	II	90	215	0	0	0	0	0	305
Chamaeleo bitaneatus	Montane Chameleon	II	330	1027	300	300	260	0	180	2,397
C. dilepsis	Flap necked Chameleon	II	170	525	200	0	150	0	208	1,253
C. elliot	Montane Chameleon	II	245	1028	200	170	480	0	288	2,411
C. gracilis	Graceful Chameleon	II	140	230	100	0	0	0	150	620
C. hoelnelli	Helmeted Chameleon	II	339	937	300	100	380	0	265	2,321
C.adolfifriderici	Ituri forest chameleon	II	128	565	0	0	0	0	0	693
C.carpenteri	Rwenzori Mountain chameleon	II	404	315	0	0	0	0	0	719
Chameleon quilensis	Savana Chameleon/Bocage's Chameleon		0	0	0	0	0	0	45	45
			2,036	4,842	1,100	570	1,400	0	1,221	11,169

Annex 2: Private sector (traders)

Firm	Directors/ Contact person	Physical Address	WUR class
1. Hasena Investments (U) Ltd	Ms. Harriet Nakabiito	Mpala Village, Entebbe Rd	D Breeds & trades in birds
2. Tropical Fauna Ltd	Mr. Fred Skye	Entebbe	D breeds & trades in birds & reptiles
3. Navina Exports Ltd	Mr. Yekoyada Nuwagaba	Kawuku Entebbe Road	D breeds & trades in birds & reptiles
4. SMICO Skin Crafts Industries Ltd	Mr. Smith Ewa Maku	Gayaza Namavundu Zone	D breeds & trades in various wildlife
5. Davico Express Ltd	David Kyambadde Kawuzi	P.O.Box 9884 Kla Uganda Hse 8-10 Kla road	D breeds & trades in birds & reptiles
6. SS Breeding	Mr. Sam Kiwanuka	Mukono	D breeds & trades in birds & reptiles
7. Ontours Uganda	Mr. Grey Kilasi	Kawuku	D breeds & trades in birds & reptiles

Annex 3: Socio – economic characteristics of house holds around Lac Mburo

Householder	Sex	Wealth status	work	Land ownership	Comment on Sport hunting	Comment on the park
Kamugisha Ismail,		Poor	Grazing	private	Reduce animals	No access for grazing
Karokora Faith	F	medium	Grazing	Private	Helped to build schools/ hospital	Animals destroy our feces and crops
Karondo John,	M	Well-off	Grazing	Private	Good for government	Nothing
Tahare Bodeh	M	medium	Grazing	private	More money should be given to land owners	tourism
Kashami James	M	medium	Grazing	Private	Let them remove the animals	No assess
Bururuma Wilson	M	medium	Grazing	Private	Good for income	No access for water and grass
Rwanshande Moses	M	poor	Grazing	private	Helped to build schools/ hospital	Keeps the animals that destroy our property
Bigeire Tanarema	M	medium	Grazing/ Agric	Private	Helped to build schools/ hospital	tourism
Bururuma Wilson	M	medium	Grazing	Private	Tourism money	No access for grazing
Kirimani Eric	M	Well off	Grazing/ Agric	private	Revenue for development	Tourism
Namanya Coleb	M	medium	Grazing	Private	Helped to build schools/ hospital	Tourism development

Wealth status categories:

Poor (poor people are typically described as those who have to sell their labour to supplement their incomes, own no livestock, have poor houses with not iron sheet roofed), produce only for subsistence and cannot afford to educate children (mainly school fees);

Medium -semi - permanent house, a few school going children and less than 50 cows, no hire labour;

Well-off permanent house: have children going to school, more than 50 cows, motorised transport means, and are hiring labour people.

Dynamiques sociales du commerce de faune et de flore à Madagascar

1. Introduction

Cette étude s'inscrit dans un projet du secrétariat CITES, PNUE, UNCTAD et IHEID intitulé 'Enhancing National Capacities to Assess Wildlife Trade Policies in Support of CITES' ou 'CITES Project Review'. Ce processus de revue de la politique nationale CITES a été entrepris dans 4 pays : Vietnam, Nigaragua, Ouganda et Madagascar. En parallèle de l'étude nationale malgache organisée par Sahondra Rabesihanaka, Bakoly Rakouth et des consultants, l'IHEID avait pour mission d'entreprendre une étude de filière de commerce d'animaux ou végétaux, et une étude sur la politique elle-même. La mission s'est déroulée en juillet et août 2007, à Antananarivo (pour rencontrer l'administration, les services de contrôle, les ONGs de conservation et les exportateurs), Moramanga (pour interviewer un intermédiaire et un exportateur) puis à Tuléar et ses environs (site choisi pour étudier la collecte des tortues). Les méthodes utilisées sont celles de l'anthropologie, à savoir : entretiens, lecture de documents officiels et observation participante.

Dans un premier temps, nous allons faire une description de la politique sur le commerce de faune et flore à Madagascar. Nous analyserons ensuite la filière générale de commerce des animaux vivants et plantes, puis nous focaliserons sur la filière des tortues terrestres du sud malgache. Nous ferons ensuite un diagnostic des aspects socio-économiques de l'impact de ces filières sur la vie des gens avant de conclure.

2. Politique du commerce de faune et de flore à Madagascar

Historique

Madagascar a ratifié la Convention de Washington en 1975 (Ordonnance n°75-014 du 15 août 1975) et mise en vigueur dans le pays qui en devient membre le 18 novembre 1976 (MINENVEF, 2006).

Suivant une recommandation adoptée par le Comité pour les animaux à sa 17e session (Hanoï, 2001), le Secrétariat a lancé la première étude du commerce important par pays avec pour sujet Madagascar. Elle a été retardée en 2002 pour cause de troubles politiques (Comité des Animaux, 2004).

En 2002, lors de la crise politique à Madagascar, un moratoire d'avril à octobre 2002 (Comité des Animaux, 2003) sur toutes les exportations malgaches a été appliqué suite à la reconnaissance par le DGEEF de l'impossibilité du contrôle des permis CITES : un des deux gouvernements de l'époque qui se disputaient le pouvoir distribuait des permis, sans véritable vérification, favorisant le commerce illicite. Après 6 mois d'arrêt total du commerce d'animaux et de végétaux, Madagascar, ayant de nouveau un gouvernement fiable, a entrepris de nombreuses démarches pour redresser l'image d'irresponsabilité qui pesait sur ses compétences de gestionnaire de la CITES.

En 2003, suite à l'étude menée par CITES et TRAFFIC International pendant un an, un atelier co-organisé par l'Organe de Gestion, le Secrétariat CITES et TRAFFIC International, avec la participation de toutes les parties prenantes impliquées dans CITES à Madagascar, un plan d'action a été rédigé. Il a été suivi et achevé aujourd'hui à 80%. La dernière partie concerne l'analyse coût avantage et va bientôt démarrer, le financement ayant été trouvé auprès d'un partenaire.

Pour résumer, ce plan d'action (2003) a aboutit à de multiples points répartis en cinq axes majeurs d'intérêt :

La Politique Nationale :

-Création d'un cadre de politique nationale pour la gestion du commerce des espèces sauvages s'inspirant des documents de politique nationale en matière de biodiversité et d'environnement

La Législation :

-Elaboration d'une loi sur le commerce internationale des espèces de faune et de flore sauvages (loi n°2005-018 du 17 octobre 2005) ; de son décret d'application (n°2996-097 du 31 janvier 2006, fixant les modalités d'application de la loi sur le commerce international des espèces de faune et de flore sauvages) ; du décret (n°2006-098 du 23 février 2006) portant publication des annexes de la CITES et du décret (n°2006-400 du 13 juin 2006) portant classement des espèces de faune.

Les Aspects scientifiques

-Mise en place des Autorités Scientifiques (AS) (Département de Biologie et d'Ecologie Végétales de l'Université d'Antananarivo pour l'AS flore et Département de Biologie Animale de l'Université d'Antananarivo pour l'AS faune) par arrêté Ministériel n°3032/2003 du 13 février 2003 portant la création et fixant les rôles et attributions des Autorités Scientifiques de la Convention CITES à Madagascar.

-Elaboration d'une méthodologie pour la répartition des quotas entre les opérateurs et leur classification selon l'investissement fourni.

-Plusieurs études de terrain pour les espèces fortement commercialisées

La Gestion et Administration

-Réalisation d'un site web (www.cites-madagascar.mg)

-Mise en place de Secrétariat Permanent faune et flore en appui à l'OG et aux AS.

-Ecriture d'un manuel de procédure sur la filière commerce de la faune et de la flore (décembre 2006)

Système de contrôle et application

-Nombreuses formations pour l'ensemble des services concernés (DGEF, Gendarmerie, Douane…)

-Production et diffusion de matériel d'identification des espèces les plus commercialisées.

L'administration étatique (appuyé par plusieurs ONGs) a effectué un important travail de conceptualisation et de mise en place de la politique du commerce de faune et de flore. Lors de la Vingt-et-unième session du Comité pour les animaux tenue à Genève en 2005, les comités scientifiques félicitent les autorités malgaches (Comité des animaux, 2005).

Virginie Poulet, volontaire international dont le rôle était entre autre, l'appui à la CITES écrit dans un rapport (Poulet, 2006) : « Si les bases de la mise en œuvre du plan d'action CITES ont été posées, il reste encore à mettre en place un système transparent de contrôle…et à l'appliquer, ce qui relève autant de l'aspect technique et organisationnel, que de la volonté politique. »

Organisation administrative et politique de la CITES à Madagascar

Le fonctionnement CITES à Madagascar ne reçoit pas de budget spécifique de la part du Ministère mais fonctionne sur le budget du service qui le gère. Ce dernier point va peut-être changer car la convention CITES figure dans les stratégies du Programme Environnemental 3. Des discussions sont en cours sur la possibilité d'allouer à la gestion de la convention, une partie du FFN (fond forestier national) qui reçoit les taxes d'exportation des espèces CITES.

Cette convention est sous la responsabilité du Chef de Service de la Conservation de la Biodiversité et de la Lutte contre les Feux de Brousse13, qui s'occupe également de la convention RAMSAR. De même les Autorités Scientifiques ne sont pas budgétisées et remplissent ce rôle en plus de leur activité professionnelle de professeur d'Université. Les Secrétaires Permanents ont été d'un grand soutien pour ses derniers. Ils sont financés par les opérateurs (2% de taxe en plus des taxes relatives à l'exportation de faune et de flore). Outre l'absence de texte réglementaire, ce mécanisme pose des problèmes éthiques d'impartialité de ces Secrétaires Permanents. En l'absence d'autres sources de financement, ce budget des opérateurs risque d'être plus ou moins permanent.

Les visites des centres d'élevage sont financées directement par les opérateurs (frais de transport, per diem pour les AS et les SP). Cela est très lourd financièrement pour les opérateurs de province, ne permet pas le contrôle inopiné, les visites étant toujours programmées, et de même que le financement des Secrétaires Permanents, cela pose des problèmes d'éthique.

Dans l'administration, les fonctionnaires sont tenus de changer de poste tous les deux ou trois ans. C'est le principe de l'alternance mis en place pour éviter les problèmes de corruptions. Dans la pratique, ce principe rend difficile la continuité du travail, la passation entre les deux fonctionnaires étant souvent rapide.

La DGEEF est chargée à la fois de la délivrance des permis et du contrôle. Etant de ce fait à la fois juge et parti, certains acteurs doutent de sa fiabilité. Depuis 2003 a été mis en place l'UCM (Unité de Contrôle Mobile) au sein des Eaux et Forêts, qui se charge du contrôle. Le service de délivrance des permis (Service de la Conservation de la Biodiversité et de la Lutte contre les Feux de Brousse) et le service des contrôles (UCM), bien qu'au sein des Eaux et Forêts, sont désormais distincts.

Au niveau hiérarchique supérieur, les changements de gouvernement sont très fréquents et provoquent la modification de toute l'équipe dirigeante (Ministre, Secrétaire Général, Directeur Général des Eaux et Forêts). Ces derniers ne sont pas au courant des subtilités de la CITES. Un opérateur nous dit : « A chaque fois qu'il y a un changement de DG, il y a 3 mois sans signature parce qu'il a peur de se faire piéger par une signature qui pourrait l'emmener en prison, parce qu'il ne connaît pas.

De plus, le rôle d'Organe de Gestion, et signataire des permis CITES a été successivement le rôle du Ministre, du Secrétaire Général et du Directeur Général. « En une année, 5 responsables CITES différents ont été nommés (3 DGEF et 2 SG) sans compter les intérimaires lors des attentes de nomination aux postes de Secrétaire Général et de Directeur Général des Eaux et Forêts. » (Poulet, 2006)

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[13] Ceci était vrai lors de l'étude de terrain, mais l'organigramme a changé depuis

Le rôle d'Organe de Gestion est toujours associé à un poste politique, ce qui est regretté par des opérateurs. Dans d'autres pays, plusieurs personnes sont Organe de Gestion, ce qui permet en l'absence de l'un d'avoir toujours un signataire en poste.

Une étude de cas nous permet de souligner un autre problème auquel fait face l'administration malgache : le manque de communication. En juillet 2007, un couple d'espagnols a été arrêté à l'aéroport international d'Ivato avec des valises contenant 48 tortues terrestres (Astrochelys radiata et Pyxis arachnoides). C'est la première fois que la loi 2005-018 est appliquée à Antananarivo (et sans doute à Madagascar). Avant cette affaire, les agents de poursuite du CIREEF (Circonscription Interrégionale de l'Environnement, des Eaux et Forêts) d'Analamanga (région d'Antananarivo), chargés d'établir les conclusions extraites des textes de lois pour les envoyer au tribunal se référaient à l'ordonnance n°60-126 du 3 octobre 1960 fixant le régime de la chasse qui contient des dispositions concernant le commerce international d'espèces de faunes sauvages y compris des dispositions pénales réprimant les infractions commises dans ce cadre.

Les agents concernés ne connaissaient pas cette « nouvelle » loi, car les informations n'avaient pas circulés. Leurs collègues présents aux séances de formation sur la CITES et ses législations à Madagascar n'avaient pas informés leur bureau. Les journaux officiels contenant les textes de lois ne sont pas reçus par les services administratifs (agents verbalisateurs et agents de poursuite). Le texte le plus récent dans le bureau du chargé de contentieux du CIREEF d'Analamanga date de 1994. Ce bureau se trouve pourtant à quelques centaines de mètres de la DGEF, ce qui nous permet de nous poser des questions sur les informations circulant jusqu'aux CIREEF des autres provinces.

La législation sur le commerce des faunes et flores sauvages commence à être appliquée avec rigueur : les espagnols ont eu comme peine un an de prison ferme, 50 millions ariary d'amende et 50 millions ariary de dommages et intérêts.

3. Description et analyse de filière

Organisation de la filière commerciale des animaux et végétaux

Pour comprendre l'organisation de la filière des animaux et végétaux dans la région de Tuléar, nous avons réalisé un organigramme schématique de la filière de commerce des animaux et plantes. Il ne retrace pas l'ensemble de la filière commerciale malgache mais uniquement celle retrouvée dans la région de Tuléar. L'organisation de la filière semble similaire dans les autres régions.

Les opérateurs ont un ou deux intermédiaire dans chaque région. Au niveau d'une région, on a donc un intermédiaire correspondant avec plusieurs opérateurs. Cet intermédiaire donne les commandes à un Chef collecteur qui embauche un certain nombre de collecteurs au sein de son lignage. Du à sa position presque unique, l'intermédiaire peut imposer ses prix et conditions aux collecteurs et aux opérateurs.

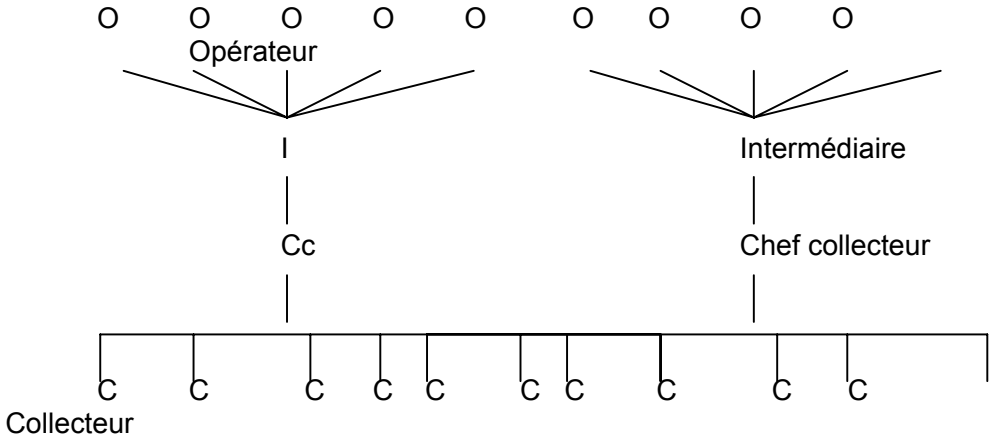

Schéma 1 : 2 filières de commerce dans une région

Dans le cas étudié, un deuxième intermédiaire est venu dans la région et a collaboré avec le premier intermédiaire. Il a ses propres opérateurs et commence à travailler avec les collecteurs du premier intermédiaire. Après quelques temps, il y a conflit entre les deux intermédiaires, ce qui aboutit à deux filières autonomes, se recoupant seulement au niveau des collecteurs. Par la suite, d'autres intermédiaires peuvent s'ajouter, mais il semble qu'ils soient en nombre moindre que les opérateurs et collecteurs.

On peut noter que les relations entre ces différents acteurs ne sont pas forcément physiques : les opérateurs appellent au téléphone les intermédiaires. Ils envoient l'autorisation de collecte. Les intermédiaires envoient ensuite la marchandise par avion ou taxi brousse, ils n'ont aucun lieu de rencontre. Il y a ainsi un amalgame entre intermédiaire et collecteur : j'utilise ce terme d'intermédiaire car il semble pertinent pour la compréhension, mais ce terme n'est pas utilisé par les interlocuteurs qui parlent de collecteurs de façon indifférenciée pour les intermédiaires et les collecteurs ou parfois de collecteurs et de chasseurs.

Les autorisations de collecte octroyées par le DGEF sont souvent au nom de l'intermédiaire, tandis que le réel collecteur n'a aucune existence légale aux yeux de l'Etat. Ils collectent sans autorisation, ou avec une autorisation qui n'est pas à leur nom.

Un opérateur nous dit aller lui-même collecter pour garantir la qualité du produit (que les caméléons ne soient ni trop vieux, ni trop jeunes, en bonne santé, d'une belle couleur…). Ce cas semble être une exception à la règle qui est d'avoir des collecteurs et intermédiaires. Certains opérateurs forment les collecteurs (par exemple pour que les graines soient ramassées sans couper l'arbre ; pour que les lézards soient transportés dans des pochettes particulières en feuille…).

Les relations entre intermédiaire et collecteur peuvent également être virtuelles : dans le cas précédemment cité, l'un des intermédiaires habite une région très éloignée. Il téléphone à son collecteur qui lui envoie les animaux. En revanche, l'intermédiaire habitant dans la région fait venir son collecteur chez lui pour lui passer commande et lui fait livrer en vélo les animaux chez lui. Ce sont les seuls de cette filière ayant des lieux concrets de rencontre.

Enfin, les relations entre exportateurs et clients (importateurs) se font via internet ou téléphone. Ils ne se rencontrent pas non plus physiquement. Avant l'apparition d'internet, les opérateurs demandaient une liste de potentiels clients aux ambassades puis les contactaient. Chaque opérateur a un ou deux importateurs. Ce sont souvent les

mêmes clients d'une année sur l'autre (établissement d'une relation de confiance). Ils avaient de plus nombreux importateurs auparavant, mais suite à des restrictions européennes, les animaux et plantes malgaches ne sont plus autorisés à l'importation en Europe, et les opérateurs ont cherché d'autres clients aux Etats-Unis, Suisse, Asie. L'Asie est le nouveau marché porteur.

Ces relations virtuelles permettent aux niveaux supérieurs une pression sur le niveau directement inférieur (les importateurs sur les exportateurs ; les exportateurs sur les intermédiaires ; et les intermédiaires sur les collecteurs), dans le sens où certains abusent de cette position pour dire que les animaux sont morts en transit et qu'ils ne paient que pour les vivants.

Le premier intermédiaire de Tuléar a un collecteur (et son réseau) dans 3 villages de la région Sud s'étendant ainsi jusqu'à Fort Dauphin, pour fournir toutes les espèces aux opérateurs.

Il semble que dans tout Madagascar, il y ait un grand nombre de collecteurs (en comptant les collecteurs occasionnellement recrutés), un nombre plus restreint d'opérateurs (28 exportateurs légalement enregistrés auprès du DGEEF), et un plus petit nombre encore d'intermédiaires (sans doute une dizaine, mais il faudrait vérifier).

On peut aussi contraster le nombre d'opérateurs par le fait qu'il existe certains prête-noms : la vente de quotas étant pratiquée entre opérateurs, il est possible d'être enregistré en tant qu'opérateur sans exporter d'animaux. Il suffit de montrer les cages d'animaux (dont certaines tournent entre opérateurs, dans le but d'obtenir un quota plus important), lors des visites des AS et OG dans le centre d'élevage.

3.2. La filière des tortues terrestres

Cette filière de commerce est particulière puisque aujourd'hui illégale. Elle nous a intéressé par les nombreux discours s'y rapportant, tant dans les journaux que dans les entretiens passés à Antananarivo. Il nous semblait alors qu'elle constituait un enjeu important pour ces personnes. Nommée « espèce phare » du Sud malgache par les ONG de conservation, étant une source importante de revenu pour les revendeurs, les tortues font converger des aspects environnementaux, économiques et sociaux.

Deux espèces de tortues terrestres se retrouvent dans le sud de Madagascar : Astrochelys radiata (Shaw, 1802), sokake, tsakafo, sokatra en malgache, tortue radiée en français et Pyxis arachnoides (Bell, 1827) ou sokapila en malgache, tortue araignée en français, qui a trois sous-espèces (Pyxis arachnoides arachnoides ;Pyxis arachnoides brigoi ;Pyxis arachnoides oblonga).

Ces deux tortues ont des aires de répartition qui se recoupent sur la côte Sud Ouest de Madagascar. Les radiées peuvent atteindre 45 centimètres pour 18 kg, tandis que les araignées sont beaucoup plus petites (10 centimètres). Les araignées sont souvent confondues avec les jeunes radiées par les paysans (Leuritz, 2005 ; confirmé par différents entretiens). C'est une des raisons pour laquelle Pyxis arachnoides serait passé en Annexe I en 2005, pour éviter que des erreurs de détermination d'espèce soit à la base d'un commerce menaçant la survie de l'espèce. Malgré les mesures de conservation moins strictes pour cette espèce Pyxis arachnoides semble plus rare et moins étudiée qu'Astrochelys radiata. Malzy (1964, p441) écrit : « D'après les

comptages effectués, nous avons observé 195 Testudo radiata14 pour, dans le même temps et sur le même parcours, 16 Pyxis arachnoides ».

	Astrochelys radiata	**Pyxis arachnoides**
CITES Annexe I	01/07/75	12/01/05
CITES Annexe II		01/07/75
Red List 2000	Vulnerable	Vulnerable
Red List 1996	Vulnerable	Vulnerable
Red List 1994	Vulnerable	Lower Risk
Red List 1990	Vulnerable	Indeterminate

Tableau 1 : Historique des statuts des deux tortues terrestres du sud de Madagascar

(source : http://www.cites.org/fra/resources/species.html)

Lorsque Pyxis arachnoides était en Annexe II, les quotas ne sont apparus qu'en 2000 où un quota de 1000 individus a été appliqué. Ensuite et avant son classement en Annexe I, elle avait un quota 0. Avant l'application de quota en 2000, bien qu'en annexe II, elle n'était l'objet d'aucune restriction et a permis l'enrichissement de nombreux acteurs de la filière, comme nous le verrons dans la troisième partie de ce rapport.

Cette filière concerne à la fois le commerce local (pour la consommation de viande), national (élevée dans les poulaillers pour empêcher une maladie des volailles ; dans les jardins pour guérir de l'asthme et se protéger contre les mauvais sorts), international (comme animaux de compagnie). Il est difficile de séparer collecte pour le marché local, national et international. En effet, il paraît plausible de penser que les grandes tortues radiées sont destinées à la consommation (plus de viande) et les petites (jeunes radiées et tortues araignées) destinées au commerce national et international. Ces deux filières ne s'excluent pas l'une l'autre dans le sens où une grande tortue peut être vendue sur le marché international et les petites peuvent être mangées, mais cela semble plus l'exception. C'est d'ailleurs pour éviter la confusion entre ces deux espèces (les petites radiées ressemblant aux araignées adultes) que les autorités scientifiques ont proposer le classement de Pyxis arachnoides en Annexe I.

L'exemple d'un trafiquant pris en flagrant délit en juin 2007 avec 3 sacs de tortues nous permet de voir la difficulté de séparer les deux types de filière : deux sacs contenaient 120 petites tortues tandis que le troisième renfermait 46 grandes. Ainsi une même personne peut commercialiser ces deux types de tortues. La question se pose alors de la destination des deux types de tortues : à quel moment se scindent les deux filières ? Nous n'avons pas de réponse à cette question, car les revendeurs ont tous refusé de s'entretenir avec nous.

[14] Les tortues radiées semblent avoir provoqué de nombreux débats taxonomiques. On les retrouve sous différents noms de genre : *Astrochelys*, *Geochelone* ou *Testuda*

Deux types de collecteurs exercent cette filière : d'un côté, des collecteurs issus de l'ethnie Vezo, transportant les tortues vivantes en pirogue depuis Anakao, St Augustin jusqu'à Tuléar ; et de l'autre, des collecteurs des terres de la région d'Ampanihy qui transportent les tortues mortes (viande fumée) en charrette vers Tuléar. Un autre commerce vers d'autres villes comme Antananarivo et Fort Dauphin existe également. Nous discutons ici le commerce sur la côte vers Tuléar, n'ayant pas eu le temps d'investiguer dans les terres.

Selon un interlocuteur (ces données doivent être recoupées), une vingtaine de pirogues se répartie le travail : certaines circulent entre St Augustin et Anakao, d'autres entre Anakao et Tuléar. Les tortues sont collectées et mises sur le dos en attendant les commandes. Le transport a lieu tous les jours sauf les jours de mauvaises mers, et en lune montante (soit environ la moitié de l'année et 182 jours). Une pirogue transporterait 20 à 25 tortues par jour. Le nombre estimé de tortues transitant vers Tuléar à l'année serait alors de 45500 (182jours*10pirogues*25tortues). Ce résultat est cohérent avec l'estimation de O'Brien (2002) de 46500 tortues par an le nombre collecté par les pêcheurs pour la consommation de la ville de Tuléar. Toujours selon le même interlocuteur, environ 20% de ces tortues (soit 9100 par an) serait destinée au commerce extérieur. Il serait pertinent de comparer ces données à une étude des marchés asiatiques, et particulièrement Bangkok où la tortue radiée serait la tortue la plus vendue (Sheperd et Nijman, 2008).

Ces chiffres ne représentent pas l'ensemble de la filière, mais seulement la collecte réalisée sur la côte aux alentours de Tuléar. Le nombre de tortues collecté dans tout le Sud est bien plus important, mais nous ne pouvons l'estimer par manque de données.

Les collecteurs passent plusieurs jours pour remplir leur pirogue permettant le transport jusqu'à Tuléar. Une fois à Tuléar, des intermédiaires achètent ces tortues et les transportent la nuit jusque chez eux. Un réseau complexe de distribution dans la ville de Tuléar rend difficile la compréhension globale du système. Les tortues peuvent être distribuées à domicile, c'est-à-dire qu'un vendeur propose des tortues directement chez les habitants. Ainsi, les habitants ne savent pas d'où proviennent les tortues (si ce n'est d'un quartier Mahavatse I réputé pour ce commerce et déclaré zone rouge par la gendarmerie depuis quelques années). La répression de ce commerce illicite a débuté il y a peu, par le contrôle des forces de l'ordre appuyé par des ONG. Il a aboutit à de nombreuses arrestations qui ont rendu plus caché ce commerce.

Pour le commerce international, des pirogues peuvent acheminer les tortues jusqu'à un bateau en haute mer où se fait la livraison. Les agents de contrôle malgaches sont impuissants pour arrêter ce trafic. Ce dernier est parfois révélé à Mayotte ou la Réunion, lorsque les bateaux sont fouillés.

Les agents de contrôle sont doublement impuissants : d'une part ils n'ont pas les moyens permettant les contrôles en mer (la gendarmerie du port est la seule à posséder un petit bateau, mais n'a souvent pas d'essence pour naviguer) ; d'autre part, ils sont pris dans des réseaux familiaux et lignagers ne leur permettant pas de procéder à des arrestations. Il existe également de gros transits par camion puis avion (en tout cas à la fin des années 80), et par taxi brousse.

Cette filière semble très hiérarchisée, son contrôle appartenant à des personnes bien placées, à fonction dans le gouvernement et donc intouchables. De fait, les quelques cas de flagrant délit sont le seul fait des collecteurs, ce qui ne démantèle pas le réseau plus large pour lequel ils travaillent.

Les collecteurs d'animaux et végétaux de la filière légale, nous disent collecter des tortues, même depuis le renforcement de la législation. Ainsi, le commerce légal et illégal semble lié d'un bout à l'autre de la filière. Les opérateurs se défendent d'exercer de manière illégale, arguant qu'un animal sans papier coûte moins cher et pour plus de risque, ce qui n'est pas rentable. Pourtant l'exemple récent (mars 2008) d'un opérateur ayant envoyé des colis d'animaux illégaux retrouvés à Johannesburg permet d'affirmer la liaison des filières légales et illégales au niveau de certains opérateurs. Enfin, en Europe, les éleveurs et passionnés m'ont clairement affirmé que sur les foires à animaux, le commerce légal et illégal est effectué par les mêmes vendeurs.

Il existe un commerce international plus opportuniste et sans risque pour les vendeurs : directement auprès des touristes. Ce commerce semble florissant à Ifaty, site balnéaire à 30Km au Nord de Tuléar, où les tortues sont vendues 5 000 ariary (alors qu'elles sont à 1000 ariary dans les villages alentour), ou plus si il s'agit d'intermédiaire (on nous a parlé de 60 000 ariary). Les espagnols arrêtés avec 48 tortues (affaire citée dans la partie 1) ont dit qu'ils les avaient achetées à Ifaty.

En ce qui concerne plus particulièrement Astrochelys radiata, cette espèce se trouve en grand nombre chez des privés à la Réunion et Maurice, et il existe des centres d'élevage à buts commerciaux en Allemagne et peut-être dans d'autres pays. C'est ainsi qu'il est possible d'acheter en France des individus nés en captivité. Un jeune est vendu environ 1000 euros, un adulte à 3000 euros15. Ces ventes ne rapportent aucune devise à Madagascar, ce qui semble contraire à l'article 15 de la Convention sur la diversité biologique qui prône le partage des bénéfices du à l'exploitation des ressources génétiques (ces animaux sont endémiques).

Un recensement des tortues sur le marché de Bangkok (Sheperd et Nijman, 2008) montre que les tortues radiées sont les tortues les plus commercialisées (représentant environ 1/3 des tortues sur ce marché), ce qui prouve l'importance de ce trafic.

Certains opérateurs à Madagascar ont la capacité d'effectuer un tel élevage, mais n'ont pas l'autorisation de le faire. Certains parlent d'un blocage politique au niveau du Secrétariat CITES ; d'autres du manque de fiabilité de l'administration malgache.

La question de la justification de la mise en Annexe I de cette espèce a été souvent posée par mes interlocuteurs et des scientifiques. Les estimations de population se chiffrent à plusieurs millions : 1,6 à 4 millions pour Lewis (1995) (qui est très prudent selon Nussbaum et Raxworthy, 2000) ; entre 12 et 25 millions pour Leuritz et al. (2005) qui pense surestimer cette population. Mais cette espèce serait en forte régression, surtout dans certains sites proches de Tuléar où seuls des jeunes n'ayant pas acquis la maturité sexuelle se trouvent ce qui met en danger la survie de la population (Rioux-Paquette et al. 2007).

La possession d'animaux rares est un luxe, c'est pourquoi certains pensent que la mise en Annexe I provoque une augmentation du prix, ce qui attire les trafiquants et collectionneurs et va à l'encontre des tentatives de conservation. Il semble difficile face à un tel flux. Malgré son illégalité, ce marché semble stable et vaste.

On peut ajouter qu'en Europe, les acheteurs finaux sont très hétérogènes, mais qu'ils deviennent de plus en plus scientifiques (Nussbaum et Raxworthy, 2000). Les nombreux sites d'échanges de conseils sur les conditions biotiques idéales à reproduire chez soi pour accueillir l'animal sont une preuve de ce phénomène. La réussite de la

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[15] http://www.lafermetropicale.com/boutique/index.php?rub=ref&id=1073493450 le 10/11/07

reproduction en captivité est un défi pour lequel les passionnés sont près à s'investir personnellement et économiquement. Il serait intéressant de connaître mieux les acheteurs finaux en Asie du Sud Est.

Il semble difficile de stopper ce commerce prolifique. D'une part la demande est forte et la filière très organisée. D'autre part, le problème des moyens de contrôle auquel s'ajoutent des barrières sociales (fihavanana, entraide lignagère et familiale) paraît complexe à surmonter. Astrochelys radiata étant une espèce relativement simple à faire proliférer, l'élevage en captivité pourrait être une solution (le parc d'Ifaty possède actuellement plus de 1000 tortues séparés dans différents enclos pour éviter leur prolifération). Cette solution pose d'autres problèmes et non des moindres, le contrôle et la sécurité du centre.

Je ne peux affirmer si c'est une bonne solution. Toujours est-il que la situation semble bloquée, le trafic perdure malgré le renforcement des contrôles et de la législation. C'est pourquoi il faut chercher des solutions innovantes pour contourner tous les obstacles du contrôle de cette filière.

Aspects socio-économiques de la filière de commerce

Différenciation sociale

Il y a une grande différenciation sociale entre les différents statuts (opérateurs, intermédiaires et collecteurs) et à l'intérieur de ces statuts.

Les statuts d'opérateurs, d'intermédiaires et de collecteurs sont stables, dans le sens où une personne a très peu de chance de passer dans une catégorie supérieure. Il y a une frontière entre ces statuts du au capital symbolique (niveau d'éducation), social (réseau de connaissance), et économique (ressources financières).

Un collecteur, s'il ne connaît pas d'opérateur ne pourra pas se passer de l'intermédiaire. De même, un des deux collecteurs que nous avons rencontré ne sait ni lire ni écrire. Il a peur des papiers car n'en maîtrise pas le contenu. Même si il avait accès au réseau des opérateurs, il n'est pas évident qu'il puisse s'affranchir de l'intermédiaire qui règle les questions administratives avec les Eaux et Forêts.

Pour devenir opérateur, un intermédiaire devra investir beaucoup d'argent pour avoir un centre d'élevage, une des conditions nécessaires pour obtenir légalement le statut d'opérateur. Apparemment, cette conversion a été possible pour deux intermédiaires à Madagascar. Dans l'un de ces deux cas, selon une source d'informations, l'investissement ne proviendrait pas de fonds propres mais usurpés à un opérateur. N'ayant pas pu recouper cette information, elle est à prendre avec précaution, mais elle permet de douter de la possibilité d'investissement des intermédiaires.

De plus, un des intermédiaires devenu opérateur, n'a de fait pas pu exporter d'animaux ou végétaux car il n'a pas de clients pour le moment. Le réseau de connaissance (non seulement connaître les importateurs mais également dans l'autre sens, la reconnaissance internationale de l'opérateur en tant que fiable) est une autre barrière empêchant les intermédiaires de devenir opérateurs. C'est pour cette raison que les quotas sont vendus entre opérateurs : « Si moi j'arrive à vendre un pardalis [caméléon] à $50 et vous, vous arrivez à $120, et si au passage vous me donnez $75, pourquoi vendre à $50 alors que là, j'ai quelqu'un qui est plus crédible, qui a plus de relations à l'étranger ? Donc on se vend des quotas. »

Ce dernier point montre également la différenciation sociale et économique au sein d'un même statut. Le réseau de connaissance et la crédibilité des opérateurs ne sont pas

seuls à déterminer les différences existant entre opérateurs. Le poids économique joue un rôle important. Les opérateurs sont classés en cinq catégories par l'Organe de Gestion (selon le manuel de procédure, il devrait y avoir 3 catégories), selon la tenue du centre d'élevage, et donc des investissements effectués. De ces catégories dépendent l'accès aux quotas. Pourtant, la différence entre les quotas distribués semble faible par rapport aux investissements consentis. Un opérateur nous dit : « J'ai investit une centaine de milliers de dollars et j'ai un quota de 160 pardalis contre 47 pour un exportateur en catégorie 3. Ça n'encourage pas à améliorer les installations. »

Cette différenciation socio-économique est visible également parmi les intermédiaires et les collecteurs. Le cas des deux filières parallèles se recoupant au niveau des collecteurs (schéma 4) est intéressant car les deux intermédiaires, malgré leur position relativement similaire dans la filière n'ont pas les mêmes méthodes de travail. Tandis que l'un habite loin, téléphone, envoie des papiers et son salaire comptant à son collecteur, l'autre habitant à côté, oppresse son collecteur, le paye partiellement et tardivement (il donne 10% du prix de vente à son collecteur et parfois refuse de le payer). Ces méthodes aboutissent à une différence socio-économique entre les deux intermédiaires, et entre les deux collecteurs.

Les deux chefs collecteurs n'ont en effet pas du tout le même niveau économique alors qu'ils ont à peu près la même charge de travail, sont frères et habitent le même village. Le moins payé connaît les prix pratiqués par son frère (en moyenne le double des siens), mais étant dépendant de l'intermédiaire pour l'obtention de contrat, il ne peut rien faire. L'intermédiaire lui dit de vendre à quelqu'un d'autre si il veut le vendre plus cher, montrant sa position de force dans le marchandage.

Les deux frères n'ont pas le même niveau d'éducation : le mieux payé sait lire et écrire, ce qui lui donne un avantage non négligeable devant son frère. Il peut recevoir des commandes par écrit et les honorer, ce que son jeune frère ne saurait pas faire.

Les prix varient considérablement le long de la filière, et également entre les filières car les opérateurs, intermédiaires et collecteurs pratiquent chacun des prix différents.

Les prix pratiqués par les opérateurs sont très divers, et ne sont pas communiqués entre eux. Certains opérateurs font des enquêtes discrètes auprès des autres pour connaître ces prix. Un opérateur nous dit : « Leur demander leurs prix, c'est comme leur demander d'ouvrir leur coffre-fort ! »

Pour ce qui est du prix donné aux collecteurs, les avis sont très partagés. Certains opérateurs pensent qu'il vaut mieux vendre cher les animaux pour garantir la qualité (puisque la quantité a diminué du fait des quotas CITES respectés) et le bon conditionnement des animaux. Ils disent également qu'un client final (c'est-à-dire un client des importateurs) s'occupera mieux d'un animal dans lequel ils auront investi qu'un animal à bon marché. Dans le même ordre d'idée, Jenkins cité par Lewis (1995, p24) : « This is in line with Jenkins's strategy (1993, unpublished report to ANGAP), that as a general principle, low volume-high value trade should be encouraged. »

D'autres opérateurs disent au contraire qu'un prix trop élevé provoque des comportements néfastes pour l'environnement. Par exemple, Phelsuma qui était simplement attrapé quand il ne valait pas cher, est maintenant recherché en coupant les arbres (cocotier et ravinala) très hauts sur lesquels il se trouve.

D'une manière plus pragmatique, un opérateur nous dit : « Comment voulez-vous qu'un entrepreneur qui n'a que maximum 180 pardalis ce qui représente son revenu annuel ; […] Comment voulez-vous que une entreprise qui doit vendre 180 malheureux

caméléons il ait le sens du partage avec les paysans, parce que, c'est à peine si il s'en sort avec ça. »

Les prix sont ainsi très variables d'un acteur à l'autre et sont dans tous les cas imposés aux collecteurs.

Effets du commerce dans les ménages

Les effets du commerce pour la subsistance des acteurs concernés sont très différents selon les prix pratiqués et obtenus. Nous avons déjà soulignés la différence de prix pour un même produit, ce qui provoque une différence socio-économique importante. De plus, le commerce général des animaux a été freiné ces dernières années, du aux quotas et aux aléas du marché international. Un opérateur explique : « Donc une fois que vous saturez le marché de cette couleur là, vous ne pouvez plus l'exporter. On ne peut pas vendre une bonne grande quantité de perroquets noirs. J'ai toujours dit qu'il y a des autoprotections dans la nature. »

Les activités économiques des acteurs de la filière faune et flore ont ainsi été différenciées et ce, à tous les niveaux de la chaîne.

Les opérateurs interviewés disent être devenus opérateurs soit par héritage (reprise du commerce du père pour 4 des 8 interviewés), par lien d'amitié (un ami l'introduit dans la filière pour 3 des 8 interviewés), ou pour démarrer la filière crocodile qui n'existait pas pour l'un d'entre eux. Les seules femmes rencontrées dans cette filière ont le statut d'opérateur (nous n'avons pas rencontré ni entendu parlé de femmes intermédiaires ou collecteurs). Elles reprennent le commerce paternel.

De nombreux opérateurs commencent à se diversifier dans le commerce des végétaux, qui est moins touché par les interdictions CITES, et plus facile à reproduire (cycle biologique moins long, bouturage possible…). D'autres ont investit dans des affaires très différentes (hôtel, restaurant, etc.) du commerce de faune et de flore sauvages. Les opérateurs rencontrés vivent malgré tout dans une certaine opulence.

En ce qui concerne les intermédiaires, il paraît évident que l'effet du commerce de faune et de flore a des effets différents selon les cas, puisque certains arrivent à investir dans un centre d'élevage, tandis que d'autres n'y pensent pas. Un des intermédiaires rencontré nous dit avoir investit dans une épicerie, car les revenus liés au commerce d'animaux ne lui permettait plus de subvenir aux besoins de sa famille.

Le commerce des tortues a été pendant quelques années très prolifiques car non réglementé. Un intermédiaire nous dit qu'il gagnait à l'époque 5 à 7 millions FMG par semaine (soit 1620 CHF en moyenne)16 rien qu'avec les tortues, ce qui est un revenu considérable à Madagascar (revenu minimum moyen 67 CHF par mois en 2000).

Il dit qu'il achetait ces tortues entre 75 000 et 100 000 FMG (9 à 12 CHF) l'individu au collecteur (qui nous dira, lui, qu'il touchait 5000 FMG (1,35 CHF), ce qui est plus conforme aux prix pratiqués actuellement dans la région de Tuléar). Il s'agit de Pyxis arachnoides qui se trouve à 15 kilomètres du village de ce collecteur, tandis que les Astrochelys radiata sont plus loin, il ne les collecte donc pas.

Les prix à l'opérateur étaient entre 200 000 et 300 000 FMG (67,5 CHF en moyenne) selon l'opérateur ; tandis qu'à l'étranger, elles sont vendues 25 millions FMG (6700

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[16] Monnaie convertie au taux du 15 novembre 2000 (avant les quotas sur les tortues, avant la crise de 2002 et la dévaluation de 2004) sur le site http://www.oanda.com/convert/classic

CHF), ce qui semble exagéré. Nous avons trouvé sur un site17 des Pyxis arachnoides à 1600 CHF18. Les opérateurs, discrets, n'ont pas donné le prix qu'ils pratiquent. Une tortue était déclarée vendue à 200$ (soit 365 CHF), ce qui était peut-être différent du prix réel pratiqué par les opérateurs qui ont tout intérêt à déclarer un prix plus faible pour avoir moins de taxe.

Nous avons étudié seulement la filière côté malgache. Pour avoir une vue de l'ensemble de la filière internationale du commerce de tortue, il nous manque les prix pratiqués par les divers intermédiaires qui peuvent s'interposer jusqu'au consommateur. Le schéma 2 ci-dessous montre les moyennes des prix obtenus par les différents acteurs et les pourcentages qu'ils représentent par rapport au prix final. Ces prix ne prennent pas en compte les différents frais occasionnés par les envois, taxes et autres. Ils sont relatifs au commerce légal de Pyxis arachnoides, c'est-à-dire avant 2000 et l'apparition des quotas puis de l'interdiction totale de vente.

Collecteur	→	Intermédiaire	→	Opérateur	→	→	Acheteur
1,35 CHF	→	67,5 CHF	→	365 CHF	→	→	1600 CHF
0,08 %	→	2 %	→	22 %	→	→	100 %

Schéma 2 : Filière du commerce légal de Pyxis arachnoides du collecteur à l'acheteur final

Les animaux vendus par le collecteur (le moins payé ; son frère gagne environ le double) sont, au moment de l'enquête entre 30 ariary (0,2 CHF) pour un grillon et 1500 ariary (1 CHF) pour un serpent.

Au niveau des collecteurs, les conséquences économiques du commerce de faune et de flore sont contrastées. Tous les collecteurs rencontrés sont également paysans et cultivent leur terre entre les commandes. Cette activité semble apporter un revenu très secondaire par rapport à la collecte. Nous avons étudié spécifiquement deux cas déjà relatés qui se distinguent par leur patron intermédiaire. Les activités ont été relativement freinées par les législations plus restrictives des dernières années. Une baisse de commande a provoqué une diversification de leurs activités.

L'un deux (le moins payé), lorsqu'il n'a pas de commande (mission comme il dit) va faire du charbon (tout en dispersant les animaux avant de mettre feu car il pense aux futures missions). C'est pourquoi son patron parlant de ses collecteurs nous dit : « Ils sont obligés de changer de travail et deviennent pauvres car c'est difficile de trouver du travail et sont obligés de détruire la forêt en faisant du charbon. […] Pour moi, la politique maintenant va au contraire de son but. Parce qu'ils veulent protéger quelques espèces, mais ça en détruit beaucoup plus. »

Ce collecteur cherche actuellement du travail au port de Tuléar, car la collecte est trop irrégulière, le travail du charbon trop éreintant.

L'autre collecteur, était chauffeur de taxi brousse et gagnait entre 350 000 et 400 000 FMG (95 à 108 CHF) par mois, tandis qu'avec les missions il gagnait 500 000 FMG (135

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[17] http://www.lafermetropicale.com/boutique/rechercheboutik_new.php.

[18] Ces prix sont à considérer avec précaution car les prix d'un individu né en captivité est plus élevé qu'un animal venant de son milieu naturel, or les animaux trouvés sur ce site sont issus de reproduction en captivité.

CHF) par semaine. Il a donc arrêté son premier emploi pour réaliser la collecte d'animaux vivants.

Ayant vu son activité baissé ces dernières années, il a investit dans un groupe électrogène, TV et vidéo pour faire un cinéma dans son ancienne maison (la nouvelle est en béton et tôle, c'est la plus grande du village). Quand il n'a pas de mission, il peut faire vivre sa famille par le biais de cette nouvelle activité. Cet investissement, il a pu le réaliser grâce à la commande de 400 tortues araignée (3 000 ariary soit 1,85 CHF pièce, calcul au taux du 15/11/06) transportés illégalement jusqu'à Antananarivo l'année dernière (donc après la mise en Annexe I de cette espèce).

Le chef collecteur paye 50% du prix de vente aux jeunes collecteurs. Sauf pour un serpent (renibidiky) car il considère que c'est dangereux donc il donne la totalité du prix à ses collecteurs. Ces collecteurs occasionnels (le plus souvent du lignage des chefs collecteurs, ou au moins du village) peuvent gagner entre 16000 à 20000 ariary par jour (4 et 5,5 CHF), ce qui est avantageux, surtout pour ceux assez habiles à chercher les animaux (puisqu'ils sont payés par animal collecté). Un jeune homme non marié nous dit qu'il préfère la collecte car en agriculture il faut attendre une année pour toucher son salaire, la fabrication du charbon est très dure physiquement (il faut passer 3 semaines en forêt) pour un maigre salaire, tandis que la collecte d'animaux est facile, et rapporte rapidement. Même si les tarifs imposés aux collecteurs ne valorisent pas leur savoir écologique, les prix pratiqués sont assez attractifs pour intéresser les villageois.

Les collecteurs que nous avons pu rencontré ne paient pas de taxes aux communes dans lesquelles ils collectent. Ils ont un accès libre aux ressources. Ils ne demandent pas la permission aux tompontany (maître de la terre) sur les terres desquels ils prélèvent les animaux et les plantes. Les communautés locales d'où proviennent les animaux ne reçoivent aucune redevance.

Concernant la filière illégale, les collecteurs de tortues disent que l'argent de ce commerce ne doit pas être utilisé pour la famille ou un investissement à long terme. La loi coutumière est qu'il doit être consommé sans épargne ou servir à l'achat de vêtement. Ce commerce ne serait alors pas une activité de survie, mais plus un travail d'appoint permettant quelques loisirs.

Conclusion

L'application de la loi CITES pose de nombreux problèmes à Madagascar, entre autre, la connaissance de la législation par les acteurs concernés (malgré les nombreux ateliers réalisées, la rotation des postes étant rapide, les nouveaux ne connaissent pas la CITES), l'identification des espèces par les agents de contrôle (malgré l'élaboration des manuels d'identification, la diversité de la faune et flore malgache est grande et sa connaissance difficile), les moyens de contrôle (absence de scanners biologiques dans les aéroports, pas de navettes pour le contrôle des 5000 Km de côte malgache), les réseaux sociaux de trafic difficile à démanteler, le manque de communication entre les services concernés (par absence de matériel informatique, d'internet, de téléphone et également par habitude)…

Malgré la signature d'un protocole de collaboration entre l'Administration et la Bianco (Bureau Indépendant de Lutte contre la Corruption), la fiabilité de l'administration est remise en question par de nombreux acteurs (tant au niveau interne où les soupçons de corruption sont lourds, qu'à l'extérieur, où les soupçons sont moins explicites mais existent). Cette situation couplée à l'instabilité politique du gouvernement provoque un ralentissement des procédures.

La répression semble avoir été la seule méthode d'application de la loi CITES. Peut-être d'autres solutions, comme l'élevage en captivité (si les moyens de contrôle sont efficaces et reconnus) permettraient un frein aux collectes et ventes illicites.

En ce qui concerne les aspects socio-économiques, certains collecteurs semblent sous-payés par rapport à leur savoir écologique. Certains disent que si l'on paye trop un paysan, il aura tendance à avoir des comportements dégradant l'environnement. Je pense que le nombre d'animaux collectés ne sera pas plus important si le prix est plus élevé car les collecteurs dépendent des commandes qu'on leur passe. Si la filière est bien contrôlée à un niveau supérieur (si les quotas sont bien respectés), le nombre d'individus collectés ne sera pas plus grand si les collecteurs sont mieux payés.

La répartition des revenus liée à ce commerce pourrait être plus équitable. Une solution serait peut-être la fixation de prix par animaux au niveau des collecteurs, obligeant les intermédiaires à ne pas abuser de leur situation d'exclusivité. Cela nécessiterait la reconnaissance légale et contrôlée de collecteurs professionnels. De même, les ristournes aux communes devraient être fixées à l'avance pour être plus systématiques. Si pour obtenir un permis, les opérateurs devaient justifier le paiement de la ristourne, ce principe inscrit dans le manuel de procédure serait plus respecté et permettrait aux Autorités Scientifiques de connaître la provenance des animaux et végétaux collectés (et ainsi comparer des zones exploitées, non exploitées et connaître les potentiels zones surexploitées). L'étude coût avantage devrait apporter des éléments pour avancer au sujet de cette problématique.

Une professionnalisation de la filière (depuis les collecteurs jusqu'aux consommateurs en passant par les opérateurs) semble nécessaire pour éviter notamment les problèmes de transport (de très nombreux animaux meurent en route). Le nombre de personne impliqué dans le commerce d'animaux et végétaux n'est pas très important à Madagascar. Leur connaissance serait intéressante pour le contrôle de toute la filière. Dans le même ordre d'idée, la reconnaissance légale des collecteurs permettrait le suivi des zones de collecte.

La législation concernant la CITES et sa mise en œuvre a beaucoup évolué ces cinq dernières années à Madagascar. Les efforts des services de l'administration concernés, des opérateurs et des bailleurs ayant appuyés ces initiatives sont à féliciter.

Les changements au sein de l'administration sont nombreux et fréquents. Par exemple, depuis l'écriture du rapport, le MINENVEF a fusionné avec le ministère du tourisme ; un appel d'offre est paru dans les journaux pour les opérateurs afin de professionnaliser la filière… Aussi, nombre d'informations dans ce rapport ne sont déjà plus valables.

La révision de la politique nationale initiée par le Secrétariat CITES, actuellement en cours à Madagascar et dans quatre autres pays permet un bilan de ces dernières années, et permettra, je l'espère l'appui de la communauté internationale sur les points restant faibles dans l'application de la règlementation CITES à Madagascar.

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Wildlife trade policy and social dynamics in Viet Nam

Peter Bille Larsen and Trần Chí Trung

1. Introduction

Research overview

This research seeks to explore the main social dynamics associated with wildlife trade and associated policy measures in Vietnam. Wildlife trade in Vietnam is significant involving domestic and international, both legal and illegal, trade flows of a wide variety of flora and fauna species. Vietnam is also an important transit country for wildlife sourced in neighbouring Southeast Asian countries, namely Laos and Cambodia. In 2003, Nguyen Van Song estimated the total revenue and profits from illegal wildlife trade in Vietnam at 66.5 million dollars and 21 million dollars respectively. Illegal trade, he estimated, thus amounted to 12 times the revenue from legal wildlife trade (5.2 million dollars) (Nguyen 2003)

This research focuses on the social aspects or dynamics linked to wildlife trade. Specific questions asked include how social aspects have been addressed in wildlife trade policies as well as seeking to provide a socially differentiated picture of the actors involved in wildlife trade through a specific case study. It also seeks to provide a description of how costs and benefits of wildlife trade are distributed, and affected by current wildlife trade policy measures. Through an analysis of different asset groups related to wildlife trade, Finally, the analysis seeks to determine the internal and contextual factors impeding or enhancing social benefits linked to sustainable wildlife trade

Methodology and fieldwork

The methodology applied involved a shared research methodology developed by IHEID-IHEID, which was also to be applied in the three other countries (Madagascar, Uganda and Nicaragua) taking part in the process. This methodology specifically involves open-ended qualitative data-gathering on the social dynamics associated with wildlife trade chains and policy (see annexed methodology). In the Vietnamese context, a combination of methods were applied in order to identify the specific social dynamics at stake. The research team was made up of Peter Bille Larsen, IHEID-IHEID and Tran Chi Trung, CRES.

Firstly, consultations were undertaken with the national review team and national stakeholders in the national policy review (Nguyen et al. 2007) to identify existing knowledge and priority concerns regarding social dynamics. This indicated a strong interest in exploring income, employment and livelihood security issues as well as questions related to local participation. There was also some interest in exploring issues related tenure security, community awareness and alternative livelihoods. Secondly, informal discussions were undertaken with national stakeholders regarding relevant cases in terms of specific regions and species. This was undertaken in coordination with the national review team, who decided to cover Northern, Central and Southern Vietnam in their review. It was therefore decided to explore focusing on Northern-Central Vietnam, particularly Quang Binh province, an area of critical biodiversity importance (Northern Truong Son/ Annamite range) as well as a key source and “re-export” area for much wildlife trade. Given that the region also has some of the highest poverty rates in the country, it seemed as a key area to focus research on social aspects. An brief visit

was made to Quang Binh province in March, 2007 to explore fieldwork opportunities, facilitate the identification of species, initiate contacts and prepare procedural aspects in terms of research permits at provincial, district and communal levels. The main data-collection period was undertaken collectively by both team members between May 3 and 22, 2007 involving field research in Minh Hoa district in Quang Binh province. A third week-long data-gathering exercise was undertaken by Tran Chi Trung in Huong Khe district, Ha Tinh province in July, 2007 particularly to focus on legal trade in Aquilaria. A fourth week long data-gathering period was undertaken by Tran Chi Trung in Quang Binh in August, 2007 to verify preliminary findings and fill in remaining data gaps. Simultaneously, national level data in terms of policy documents and wildlife trade figures have been collected along the way using both national and international sources.

Regional focus

This research focused on North-Central Vietnam, particularly Quang Binh province with some additional fieldwork in neighbouring Ha Tinh province. Currently, remaining source areas for wildlife trade in Vietnam are mainly found within and around protected areas. Fieldwork focused on one of the most important protected area sites in the country (Phong Nha Ke Bang National Park, PNKB). Situated within the globally recognized Central Annamite Range, the PNKB area forms part of the largest continuous limestone forest complex in Indochina. The biodiversity is not only of critical importance, but equally one of the hotspots for wildlife trade. The region is furthermore one of the poorest, and key source areas for wildlife also overlap with the poorest districts of the province. This research particularly focused on Minh Hoa district, particularly two communes, Dân Hoa and Thuong Hoa, bordering Laos. According to local officials, poverty rates in these communes are up to 80 % of the population, mainly ethnic minority communities. This confirms wider national data on poverty and inequality figures (Minot, Baulch and Epprecht 2003; Swinkels and Turk 2006). The region also harbours some of the highest cultural diversity densities in the country being the home to some of the smallest (in numerical terms) ethnic minority communities in the country. One commune, Thuong Hoa, covers areas within the current bufferzone of Phong Nha Ke Bang National Park. In the future, large parts of Thuong Hoa are proposed to be within the core zone of an enlargened national park. We particularly focused on these areas, which involved working in and with Ruc villages. The other commune, Dân Hoa, lies outside the current bufferzone (likely to be included in an expanded one), but also identified as a key source/ hunting area in the region. Largely made up of ethnic minority communities, we particularly focused on a series of May, Sach and Khua villages such as K-Ai, Bai Dinh and Y Leng. Ethnic minority communities in the region have mixed economies combining shifting cultivation, some animal husbandry with significant forest-related activities both for subsistence, commercial and other purposes. As fieldwork and research proceeded, this initial regional focus was expanded in a number of ways. Firstly, fieldwork in Kinh or non-ethnic minority communities of the same district was included with short stays in Hoa Tien and Hoa Hop communes. This was due to the fact that a significant number of youths involved in the extraction of forest products came from these communities. Secondly, given the significant importance of Laos as a source area for wildlife, opportunities to do additional fieldwork in neighbouring provinces was explored in two neighbouring conservation areas (Hin Namno aand Nakai Nam Theun), but did not work out. Thirdly, short fieldwork and data-gathering was undertaken in neighbouring Ha Tinh province on Aquilaria plantations and trade in order to complement research on Aquilaria from the wild.

Social aspects of wildlife trade policy in Vietnam

Identifying the social aspects of wildlife trade policy in Vietnam involved targeting a complex set of directives, decrees, laws and action plans, which in one way or another form core policy documents and, secondly, have social implications either directly or indirectly.

The current wildlife trade action plan in it article 1 underlines how wildlife trade policy action "must be consistent with, and contribute to, the objectives of national strategies already approved by the Prime Minister » including the « Comprehensive Strategy for Growth and Poverty Reduction ». This reflects an overall and long-standing government commitment to poverty reduction, which is also apparent in wider efforts to mainstream the environment and conservation in poverty reduction and development policies and programmes. The plan is « based on the principle of controlling wildlife trade to prevent illegal trade in wildlife species, striving toward sustainable governance and use of wildlife resources, and contributing to the implementation of the Strategy for Environmental Protection and Strategy for Socio-economic Development. (article 8)».Yet, within the wildlife trade policy context, it remains to be « fleshed out » both within the action plan as well as governmental decrees and regulations how this integration is achieved in practice. This relates both to a series of policy constraints.

The action plan particularly, and only, raises action to support captive breeding and artificial propagation to « generate more income for farmers, thereby contributing to poverty alleviation ». Yet, it does not address the policy implications of a pro-poor captive breeding/ artificial propagation objective. Currently regulatory requirements on captive breeding, for example, and the lack of targeted incentives make it unlikely that the poorest segments, and particularly current users of wildlife from the wild, can fully benefit from this policy space. In terms of captive breeding, there are no social and economic incentives in place to prioritize captive breeding operations among users involved in wildlife trade. Emphasis is rather put on a series of technical and regulatory requirements (e.g. registration, permits), which are more likely than not to exclude current forest users from engaging in legal captive breeding and artificial propagation operations unless targeted measures are put in place (given lack of access to administrative centres, resources and capacity to engage with the paper work needed).

Finally, very importantly, the action plan does not address how poverty and equity concerns are addressed in wider wildlife trade policy aspects, including wildlife from the wild. Thus while the latest Vietnamese policy measures to respond to CITES requirements indeed clearly reflects the different CITES appendices (SRV 2006a), it remains silent on social aspects (at the user level). In terms of policies affecting social dynamics of wildlife trade, we identified Decree No.32/2006/NĐ-CP on the management of rare and endangered forest animals and plants, as an important starting point due to the considerable restrictions put on use and commercial trade.

In article 5 (3) it is spelt out how it is forbidden to extract rare and precious forest plants, hunting, trapping of rare and endangered species as well as the movement, processing, commerce, import and exports of rare and endangered species. From a commercial perspective, this is particularly outlawed for Group 1 species19, whereas the decree for

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[19] This and previous policy instruments operate with a Vietnamese system of Group 1 and Group II species, the former being more strictly protected. It is important to note that these groups are not (always) identical to CITES appendices, and furthermore have more management implications than CITES appendices, which mainly focus on international trade.

Group II species (both flora and fauna) notes that those from special use forests (Terrestrial protected areas) only can be exploited for scientific research purposes. This is where the majority of source areas for wildlife are found, and where they play the most important role for local economies.

With regards to forest areas outside protected areas, plants of group IIA can be exploited, yet only according to regulations established by MARD. In the case of fauna (group IIB) outside of protected areas, such use may only be for scientific research and international cooperation purposes (SRV 2006b).

Not only is commercial extraction and trade illegal within protected areas, it is also illegal with regards to listed fauna species for areas outside protected areas. While there is more room for manoeuvre with regards to CITES-listed and Vietnamese group II plant species outside of protected areas, this again depends on particular MARD regulations.

For CITES-listed fauna species not listed in the national lists “of precious rare and endangered species”, commercial harvesting and trade from areas outside protected areas would in theory be legally possible. Thus in the case of turtle species such as Cuora amboinensis,or Siebenrockiella crassicollis commercial trade is theoretically possible if sourced from outside protected areas, yet in the case of Heosemys grandis, Hieremys annandalii (all exported in 2005 before decree 32 appeared) it is not. While all are CITES app. 2 turtle species, the latter two are also listed as group IIb under decree 32, which considers commercial trade of such fauna illegal.

While the 2004 Forestry Law does mention pertinent legislation on rare, endangered and precious animals, references in the law mainly speak of bans rather than regulations (see e.g. articles related to special use forests). This is perhaps representative of widely held perceptions that wildlife trade policy about “rare, endangered and precious species” (of which many are CITES species) entail trade bans. This “ban” bias was also clear that Decision 46, which included wild animals and precious rare natural plants on the list of goods where export was illegal (along with drugs, antiques, timber from natural forests and others) between 2001 and 2005 (SRV 2001), although annex 3 of the decision specifies that exports can take place with papers.

In our opinion, current decrees governing wildlife trade remain far too silent on the social dimension (whether in the context on captive breeding or wildlife from the wild). Decree 82/2006/ND-CP, for example, thus mainly targets the import/export link in the wildlife trade chain. Although it is mentioned that non-commercial use of specimens is exempted, there is no wording specifically addressing the community « supply-side » aspects of the trade chain, where the main poverty and social concerns are experienced. There is yet to be an explicit wording on emphasizing engagement and support to (possible) local stewards, marginal communities in terms of sustainable harvest and trade of appendix II species. There is yet to be an emphasis of socio-economic incentives such as tenure security, benefit-sharing, development programme support etc. to tip the balance towards sustainable wildlife use and trade. Such efforts are currently also constrained by limitations put in place by Decree 32.

This in part reflects doubts about the practicality of such measures in a Vietnamese context. Yet, given the lack of delivery of « command-and-control » measures, there is an urgent need to create policy principles and space for trying out alternatives to increase social and economic benefits both regarding wildlife from the wild and captive breeding.

2. Wildlife trade chains and species focus

Wildlife trade in Vietnam is significant involving both local demands and domestic markets as well as international demands and markets for a wide variety of flora and fauna species. Vietnam is also an important transit country for wildlife sourced in neighbouring Southeast Asian countries, namely Laos and Cambodia. While the country counts substantial international trade with accompanying CITES permits, the vast majority of wildlife trade is illegal. In 2003, Nguyen Van Song estimated the total revenue and profits from illegal wildlife trade in Vietnam at 66.5 million dollars and 21 million dollars respectively. Illegal trade, he estimated, thus amounted to 12 times the revenue from legal wildlife trade (5.2 million dollars) (Nguyen 2003). In order to focus data-gathering and generate more specific findings, research was narrowed down to freshwater turtles species and Aquilaria species thus including both flora and fauna in the research. Both involve appendix 2 species. While it was assumed that harvesting and gathering of Aquilaria Crassna, had already been reduced considerably, the species was included given the possibility of a more historical perspective, recent CITES listing (2005). It is furthermore one of most valuable species traded internationally. In the case of freshwater turtles, these were chosen due to the high levels of trade involved and the area being a key source area. Turtles are furthermore hunted in the summer months (May to July), thus overlapping with our research period.

Aquilaria Crassna

Aquilaria crassna, "Trầm Hương"20 used to be distributed throughout Vietnam, is now found mainly in Ha Tinh, Quang Binh, the Central Highlands and Phu Quoc. Laos, Cambodia and Thailand are other range states. It forms part of the Indomalesian tree genus Aquilaria (belonging to the family of Thymeleaceae), of which some 17 species are found across South and Southeast Asia. These species have been harvested for centuries due to medicinal properties and the use of agarwood oil (e.g. in perfumes) and incense due to fragrant properties (Barden et al. 2000). The best quality, most dark brown, is referred to as "ky nam" (Morris and An 2002) valued thousands of dollars per kilo. High quality oil can fetch as much as 80.000 USD per litre, and poor quality agarwood as little as a few dollars per kilo. All species of the Aquilaria genus were listed under Appendix 2 at COP 13 in 2005 with a number of reservations. Yet, Vietnam had already from 1987 installed a ban on the extraction and trade of agarwood from the wild. Various government and NGO actors (see e.g. http://therainforestproject.net/), have since the early 1980s experimented with plantations and artificial production of the valuable resin (Hoang and Nguyen 1998; Morris and An 2002). Despite, such plantations efforts, it remains widely held that wild populations are continuing to decline, and that international demand for wild-sourced agarwood has not been reduced.

Trade in Aquilaria and the role of Vietnam

Singapore is one of the principal trading centres in Southeast Asia with the majority of exports goings to Arab countries, and the remaining to East Asia. In Northern Vietnam, since the mid-60s, state companies promoted the collection of specific Non-Timber-Forest-Products such as resins with exports to the Soviet Union (Morris and An 2002). In the 1980s, trade in agarwood developed rapidly both through state-owned companies, a

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[20] The species, (*Aquilaria Crassna, Aquliaria crassna Pierre ex Lecomte,* is known under various names in the region such as agarwood, eaglewood, gaharu, aloeswood as well as different Vietnamese names such as *Tram Huong, Gio* or in Laos as *maiketsana, mai dam or mai hom*.

royalty system and increasingly illegal trade. By the late 1980s, natural stocks were severely depleted and the government installed an extraction and trade ban. Extraction and trade, however, continued through illegal channels increasingly involving Vietnamese extraction and trade throughout Laos and Cambodia. While bans have equally been in place in these countries, enforcement has throughout the years remained a challenge. While harvest figures decreased following the 1987 ban, it is likely that decreasing numbers reflect a depleted resource base.

Taiwan remains a major market for Vietnamese agarwood exports. Approximately 18 % of agarwood imported in Taiwan between 1999 and 2003, for example, came from Vietnam. While Indonesia had a larger share of the market, the value of Vietnamese-imported agarwood was 2.5 times higher than agarwood imported from Indonesia due to better quality (TRAFFIC 2005). The average price per kg paid for Vietnamese agarwood exported to Taiwan, from 1999 to 2003, across all categories was 25 USD/kg compared to USD 19/ kg in Malaysia and USD 10/ kg in Indonesia (ibid).

Imported agarwood to Taiwan from Vietnam											
Year	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total
Agarwood (KG)	84 779	103 068	91 129	96 427	136 685	222 391	101 517	62 517	33 110	157 490	1 089 113

Source: Directorate General of Customs of Taiwan quoted in (TRAFFIC 2005)

Legal exports from Vietnam have only recently begun to be registered, and the 2005 and 2006 export data reveals the following figures.

Aquilaria exports from Vietnam	2005 exports	2006 exports
Aquilaria spp (chips)	500 kg (Japan)	0
Aquilaria spp (derivatives)	512 kg (Japan)	0
Aquilaria Crassna (chips)	3173 kg (Japan/ Taiwan21)	1709 (Japan)
Aquilaria Crassna (chips)	0	896 (Japan)
Aquilaria Crassna (oil)	0	20 litres (AE)
Aquilaria Crassna (powder)	0	1800 kg (Taiwan)
Aquilaria Malaccensis (chips)	520 kg22 (Japan)	0

Accessed 3/12/07

The export figures thus reveal trade in general Aquilaria spp. species as well as the re-export of Aquilaria Malaccensis (Vietnam is not a range state). According to the CITES trade data base, all 3173 kg of exported Aquilaria Crassna in 2005 came from artificial propagation, as did the 1709 kg exported to Japan in 2006. Similarly, all 2005 and 2006 export figures for Aquilaria spp and Malacenssis (of which VN is not a range state) were

[21] Japan (3050 kg), Taiwan (123 kg)

[22] 246 kg of exports are also listed for 2001 (Taiwan).

also listed as from artificial propagation. However, 1800 kg of Aquilaria Crassna powder exported to Taiwan in 2006 were listed as sourced from the wild. This is somewhat surprising given the Vietnamese trade ban as well as the lack of official imports of Aquilaria Crassna from neighbouring range states. The importance of imported Aquilaria is further evident in the import figures, available from 2003.

Vietnam imports of Aquilaria (in kgs)				
	2003	2004	2005	2006
Aquilaria spp (chips) (MY)	0	0	8850	13215
Aquilaria spp (derivates) (in grams)	0	0	0	0
Aquilaria spp (powder) (MY)			21000	24885
Aquilaria filaria (chips) (ID)	0	0	2000	0
Aquilaria Malaccensis (chips) (MY)	0	27660	0	0
Aquilaria Malaccensis (powder) (ID)	1	0	0	0

These reveal significant imports from both Malaysia and Indonesia. The most significant amounts of export in 2005 were of Aquilaria Crassna, which was not among the imported (as neither Malaysia, nor Indonesia are range states). In the case of Aquilaria Malaccensis, Vietnam exported some 520 kg in 2005, while importing some 27 tons in 2004 from Malaysia. It is also noteworthy that Vietnam imported Aquilaria Filaria in 2005 (likely from the Molucos or West Papua). We have sought more information through the Management Authority to establish to what extent Aquilaria Crassna exports involved resin from the wild or from the multiple plantations established in Vietnam (no response yet as per 4/3/08). Other likely source areas, particularly of high-quality chips, could be Laos and Cambodia, who both have export bans in place (and no official exports listed to Vietnam).

What is clear in any case is how Vietnamese companies are increasingly importing Aquilaria for the production of agarwood products. One company, Secoin HaTinh Co, which received support by UNCTAD/SIPPO and the BIO-TRADE programme, thus promote the export of 17 kinds of agarwood oils made from "Aquilaria crassna Pierre, A. malaccensis, A. sinensis, A. filarial" with price levels from 170 USD/litre to 10.780/ litre (only A. Crassna being native to VN)23. It is also clear from advertisements by other companies that considerable production facilities are present. The HCM-based Binh Nghia company, for example, notes that it: "Each Year … Exports To The World More Than 5 Tons Of Agarwood Of Various Types, 50 Tons Of Agarwood Powder And Tens Of Liter Of Agarwood Oil. As We Locate In Vietnam, We Can Offer All Esteemed Customers Our Quality Products At The Very Competitive Prices. I Can Produce 5,000 Ml Agarwood Oils (Original : Vietnam) And 500 Kgs Agarwood Chips Per Month"24 (see also http://www.binhnghia.com/).

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23 www.b2bsearch.biz/default.cgi/action/viewtradeleads/tradeleadid/94155/subject/Sell_agarwood_products_and_medicinal_plants/ , See also www.sippo.ch/files/catalogues/vitafood_06.pdf

24 http://www.tradekey.com/product_view/id/72684.htm (viewed 14/11/07)

The amounts listed for this company are very high compared to 2005 exports of the whole country. Annual sale volumes of the company are said to range between 2.5 and 5 million USD.25

Evaluations in the wider CITES community regarding the effectiveness of existing plantations in terms of the quality and quantity vary, and some question to what extent current Vietnamese legal exports are only from plantations. This is extremely difficult to verify, and techniques to distinguish cultivated agarwood from wild-sourced agarwood are still in the making (Eurlings and Gravendeel 2006). What we were informed about was the existence of the practice of "green-washing" wildly collected aquilaria as stemming from plantations without being able to quantify or confirm this practice more widely.

What seems clear is that plantations are only starting to produce high-end quality chips and oils as recent efforts and evolving techniques seem to be producing promising results. Such assessments are important to verify, in our case to assess whether Aquilaria Crassna agarwood collected in the wild in Vietnam or neighbouring Laos or Cambodia enters the legal trade chain at some point. Yet, there is very limited data available regarding trends in illegal trade of Aquilaria, and we were not able to obtain specific confiscation data.

Ha Tinh: Aquilaria plantations and poverty reduction in Huong Khe district

In 1987, the then Ministry of Forestry initiated aquilaria plantations Chuc A State Forest Enterprise in Huong Khe district, Ha Tinh province. According to (DARD Ha Tinh 2007), however, the vast majority of aquilaria plantations in Ha Tinh have been planted "spontaneously" by local people. There is considerable presence of fake products, ineffective techniques, which have created high levels of lack of confidence in the market. The vast majority of planted trees are still too young (2-7 years) to produce reasonable quality resin26.

There is one company named Hoang Lan Company Limited working on oil extraction in the Central region based in Huong Khe district, Ha Tinh province. So far, they have mainly been doing experiments to determine oil extraction levels from aquilaria plantations. These results reveal very low levels of oil concentration for trees less than 10 years old, and comparatively higher levels of oil even from poor quality aquilaria from the wild. The director of the company informed that the market for Aqualaria oil is still "vague", and they have not yet dared to invest in improved technologies. A technical officer from a buyer, the SECOIN company further informed that the chips and resin from Huong Khe are of low quality, and that the majority of chips and resin are bought from Khanh Hoa, Ho Chi Minh city and Da Nang. Despite this limited success, many local people in Huong Khe have invested in Aquilaria targeting the seedlings market. To date, Huong Khe is the main source of supplying seedlings to the Central Highlands, Northern Provinces as well as Laos in the recent years. This market had contributed considerably to the local economy. The best year had been in 2000, when the market boomed due to demands from Laos and other provinces. Since, then other suppliers have arrived and both demand and price levels have gone down considerably from 1.400 VND/ seedling in 2003 to only 400 VND/seedling in 2007 (fieldwork data).However, this has taken place

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[25] http://www.alibaba.com/company/10725338.html#companyprofile

[26] Area of planted Aquilaria in Ha Tinh by age: 1 year (203.6 ha), 2-7 years (2570.4 ha), 8-11 years (256 ha), More than 11 years (82 ha) (DARD Ha Tinh 2007)

without quality control and certification mechanisms, and without clear ideas about sub-species and varieties relevant for high-quality oil production (DARD Ha Tinh 2007).

The case illustrates a number of factors. On the one hand, local people clearly have the will and capacity to engage in artificial propagation opportunities, which present an interesting option from a poverty reduction perspective. On the other hand, however, such efforts can be considerably strengthened by technical support, policy incentives to generate high quality and trust-worthy products (which is currently not the case). To date, there are yet to be more comprehensive development planning efforts for Aquilaria targeting poor communities in source areas or elsewhere for that matter. With growing internal and international competition, technical support and market strategy development will be critical to maintain the Huong Khe success story. Otherwise, people may be facing economic trouble in the near future.

Quang Binh: after the aquilaria rush

In Quang Binh, there is limited official data on trade in Aquilaria. In theory, chips and derivatives are checked by provincial FPD and then sent to the Management Authority in Hanoi. Provincial FPD, however, did not have any data registered regarding legal trade in agarwood, and data collected mainly related to illegal trade chains. Aquilaria has been extensively extracted in Quang Ninh, Le Thuy, Minh Hoa districts of Quang Binh province. Extraction was initiated in the early 1980s by collectors from Quang Nam and Thua Thien Hue provinces (further South), followed by collectors from Thanh Lang (Tuyen Hoa district). Extensive extraction from 1983 to late 1987 led to the quasi-disappearance of the species in the area surveyed. Followingly, collectors increasingly moved to Laos and recently a few to Myanmar in search for the Aqualaria resin.

One trader in Tuyen Hoa district, Quang Binh province reported that he bought Aqualaria sourced from the wild. Most of his agarwood came from Laos, and only a small part comes from local forests in Minh Hoa district. The amount of Aqualaria bought in 2007 (5 tons) only amounted to half the amount bought in 2006 (10 tons of low quality Agarwood). The trader distinguished between two qualities (good quality and low quality) compared to the 6 or 8 types of quality distinguished further up in the trade chain. He said that with a certification letter from the commune in Tuyen Hoa mentioning the origin of the Aqualaria as origined from plantation, his trade became legal and it was easy to transport Aqualaria to Thua Thien Hue province and Ho Chi Minh city (see the figure below). This in other words “greenwashed” illegally traded aquilaria, which this way likely entered the legal trade chain. While the case of people constructing houses from striking “agarwood” gold can be found across the province, collectors generally got or get quite poor benefits from Aquilaria collection. Usually organized in groups of 4-5 people, they are provided rice, salt, gasoline and dried fish by the trader (as a loan, the “Dong gui” practice). After each trip, if they have found anything, they are obliged to sell to the same trader typically for a minimal profit after the loan has been paid back. The quality and price levels of extracted products are determined by the trader.

Freshwater Turtles

More than half of Asia’s freshwater turtles (some 45 species) are considered in danger of extinction in the immediate or near future as a result of overexploitation linked to trade (Grieser-Johns and Thomson 2005), which has increased rapidly since the early 1990s. Turtles and tortoises, chelonian fauna, are now considered the most threatened group of herpetofauna in Vietnam due to unsustainable harvest and trade levels (Nguyen 2006; Stuart and Platt 2004). Since the late 1990s and the new millennium there has been a

strong effort to secure the further listing of Asian freshwater turtles particularly under Appendix II and Appendix III (CITES 2002; CITES 2004; TRAFFIC Southeast Asia 2001). The Asian Turtle Network compilation (see appendix) reveals how 23 out of 25 tortoises and freshwater turtle species found in Vietnam are either listed as appendix II or III species.

Trade in freshwater turtles

Trade in freshwater turtles in Southeast Asia is rampant. TRAFFIC Southeast Asia has estimated that some 10 million freshwater turtles were traded annually in 2000, and some 13 million in 1999 (TRAFFIC Southeast Asia 2001). Most are destined for consumption in China (WCS 2004) for food and medicinal purposes. Golden turtles, for example, are used in traditional Chinese medicine as a cure against cancer, which has driven up demand and prices.

Emerging trade patterns across South and Southeast Asia, confirmed in this research, have revealed sharp increases in trade once demand hits an area, followed by steep decline as populations are virtually wiped out due to the difficult reproduction conditions (TRAFFIC Southeast Asia 2001).

In the Vietnamese context, 7 turtle species were listed under the 2006 Decree 32 regulating trade in wildlife through listings in different groups. Commercial trade of species listed in group IB is prohibited, and species listed in this group may generally not be sold, bought, transported or possessed without a national-level permit. Group IB species include the three-striped (golden) box turtle, Cuora trifasciata, (CITES appendix II) a species which Vietnam had imported 8 in from Laos in 2005.

For a number of other CITES-listed turtle species included in Group 2B (of Decree 32), trade is restricted and commercial trade is illegal (for listed fauna species). These include the Vietnamese pond turtle (Mauremys annamensis), the Giant Asian pond turtle (Heosemys grandis), the Yellow-headed temple turtle (Hieremys annandalii), the Big-headed turtle (Platysternon megacephalum), the Impressed tortoise (Manouria impressa) and elongated tortoises (Indotestudo elongata). Of these species, major CITES imports and exports were registered for the Giant Asian pond turtle and the Yellow headed temple turtle in 2005.

The species exported in largest legal quantities in 2005 was the Asian Box Turtle, Cuora amboinensis. Decision No.54/2006/QD-BNN specified CITES listings. The import figures are interesting for a number of reasons. First of all, Laos appears in 2005 as a major (legal) exporter27 to Vietnam. Information provided from the Vietnamese Management Authority (personal communication) revealed the exporter as the Bolikhamxay Province Xayasa Trading Export-Import, and the importer as China-Vietnam Trading Border Joint Stock Company28. The importer name suggesting that re-export was likely.

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[27] It is however noteworthy that Quoc Dung, a Vietnamese journalist, when enquiring about wildlife trade from Bolikhamsay was informed by Lao Forest Department officials that “they did not give permits to any Lao companies to export macaques, snakes or **turtles** to any Vietnamese companies”. http://www.earthjournalism.org/VN_wildlife_article04_200712.htm.

[28] We do not know if this is identical to the Sino-Viet Border Trading Joint Stock Company, Sino-Viet or Trung Viet company accused of illegal wildlife trade and forgery of certificates in the articles by environmental journalist Quoc Dung (http://www.earthjournalism.org/VN_wildlife_articles.htm).

Secondly, Myanmar in 2006 appears as an exporter of 6 turtle species to Vietnam (all for commercial purposes) in not insignificant quantities. Import of farmed Pelodiscus Sinensis from Thailand was also initiated in 2006. Thirdly, it is noteworthy that a number of the species and imported quantities mentioned do not reappear in the export lists despite re-export being very likely29. Finally, the continuous commercial imports of decree 32 Group 2B turtle species points to some incoherence in policy implementation between CITES legislation and other wildlife trade policy measures as the decree 32 only allows commercial trade in these species from the wild where release is impossible. This may relate to a legal interpretation that such commercial trade does not concern trade in imported goods.

The majority of legal exports are destined for China. A proportion of these exports likely involve the re-export of legally imported wildlife. In the case of the Asian box turtle, Cuora amboinensis, for example, Vietnam reportedly exported 21 tons to China in 2005, while legally importing 1 ton from Laos. In the case of the Giant Asian pond turtle, Heosemys grandis, Vietnam exported 9 tons in 2005, and imported 1 ton legally from Laos. In the case of the Yellow-headed temple turtle, Hieremys annandalii, Vietnam equally exported 9 tons in 2005, while importing 1 ton from Laos. The same figures are found for Orlitia borneensis and Siebenrockiella crassicollis, the black marsh turtle. Given current constraints on turtle populations in Vietnam, it is likely that a significant proportion of exported turtles emanated from Laos and Cambodia. Captive breeding of hard shell turtles native to Vietnam is either difficult or only at a very initial stage.

Hieremys Annandalii and Heosemys grandis are listed as legally exported to China as commercial trade, although according to Decree 32 this may only be for scientific purposes (although listed as CITES appendix II species). The only scientific exports made in 2006 were to the United States.We were not able to establish whether illegal trade in e.g. Hieremys annandalii entered the legal trade chain (e.g. the 2006 exports). Yet, it seemed pretty clear that most of this trade involved turtles from the wild. Furthermore, it is noteworthy that the exporting company was based in Bolikhamxay province. According to Douglas Hendry of the Asian Turtle Network (personal communication), there has been no significant farming of main species being exported (although some captive breeding has taken place). Quantitative trade data before this period are not available (TRAFFIC Southeast Asia 2001), and do not reveal much about the huge quantities of illegal trade taking place. Indications of the latter are e.g. available through the confiscation data reported by the Asian Turtle Network (seee.g.http://www.asianturtlenetwork.org/library/bulletins/ATCN_Bulletin_August_2007.pdf) or confiscation reports by the Forest Protection Department (http://www.kiemlam.org.vn/).

Freshwater turtles and trade in Quang Binh

The total known number of herpetofauna species from Phong Nha Ke Bang area is 140 species or more than 30 % of amphibian and reptilian species listed for Vietnam (Ziegler 2007). The Quang Binh region hosts key endangered species such as “Rua Vang”, the three-striped (golden) box turtle (Cuora trifasciata). Known turtle species in Phong Nha Ke Bang are presented below:

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[29] This e.g. concerns the following species Platysternon megacephalum, Callagur borneoensis, Cuora galbinifrons, Cuora trifasciata (in terms of not being listed as exports) or Heosemys grandis in terms of significantly lower export than import figures. Neither appears the recently imported turtle species from Myanmar in the export figures.

Latin name	English name	Vietnamese name
Platysternidae	Big headed turtle	Họ rùa đầu to
Platyternum megacephalum	Big headed turtle	Rùa đầu to
Bataguridae	Typical turtle	Họ rùa đầm
Cuora galbinififrons	Indochinese box turtle	Rùa hộp trán vàng
Cuora trifasciata	Chinese three-stripped box turtle	Rùa hộp ba vạch
Malayemys subtrijuga	Malayan snail-eating turtle	Rùa ba gờ
Cyclemys tchepnensis	Vietnamese leaf turtle	Rùa đất sêpôn
Hieremys annandalei	Yellow-headed temple turtle	Rùa răng
Mauremys mutica	Vietnamese yellow pond turtle	
Pyxidea mouhoti	Keeled box turtle	Rùa sa nhân
Sacalia quadriocellata	Four-eyed turtle	Rùa bốn mắt
Testudinidae	Tortoises	Họ rùa núi
Indotestudon elongata	Elongated tortoise	Rùa núi vàng
Manouria impressa	Impressed tortoise	Rùa núi viền

(Meijboom and Lanh 2002)

Turtles are among the most frequently traded animals often being traded up north to Hanoi and Mong Cai, on the border to China (Roberton 2004). Turtles are widely traded in the province with most hard-shell turtles being sold to the Chinese market30 – as well as a significant local market in both the provincial capital as well as nationally for soft-shell turtles (Roberton 2004). The most frequently turtle reported species in a 2004 trade survey was box turtle (Cuora spp) as well as observations of Manouria impressa.

A host of local names are employed such as Rua Da, Rua Dat, Rua Thuong and Rua Den, yet most scientists addressing the issue have found it difficult to link these names to specific species.

Trade quantities are difficult to assess. In 2003, FPD in Quang Binh confiscated 300,6 kg of soft-shell turtles and 194 kg of hard-shell turtles (Robertson and Hoang 2004). Robertson identified some 28 traders in the province engaged in turtle trade. According to our data, a increasingly significant amount of turtles traded and consumed in Quang Binh come from neighbouring Laos. This may involve not just neighbouring Laotian provinces, but also other Laotian provinces as well given the relative permeability of the Cha Lo border crossing. Such trade is equalled in other central Vietnamese provinces (see e.g(Roberton et al. 2004).

Species	Vietnamese names	Price levels (Roberton 2004)	Our findings Dan Hoa commune	Our findings Thuong Hoa commune	Our findings trader

[30] Some are, however, reportedly increasingly consumed in local restaurants.

		(VND/kg)	(VND/kg)	(VND/kg)	Dong Le (VND/kg)
Indotestudo elongata	Rùa đá	90-150,000	30,000 - 40,000	70,000 - 80.000	150,000 - 200.000
Cuora galbinifrons	Rùa hộp chán vàng hay rùa Trường Sơn	50,000 - 180,000	100,000 - 240.000		380,000
Heosemys grandis	Rùa đất	80,000 - 120,000			
Cuora trifasciata	Rùa vàng	80 millions	220 millions	38 millions	300-400 millions
Platysternon megacephalum	Rùa đầu to				500,000-700,000

(Sources: (Robertson 2004), fieldwork 2007).

Collecting turtles for commercial trade other than local exchanges initiated in the late 1980s according to our data. Before that turtles were mainly hunted for local consumption. Hunting and trapping techniques have not changed much. While some would encounter turtles during forest trips near streams, for example. More targeted hunting involved hunting dogs (not all communities have been equally specialized in this sense).

This escalated during the 1990s after which they came rare in the the PNKB region. Traders from the Quy Dat town (Minh Hoa) and Dong Le & Thanh Lang (Tuyen Hoa) were among the first to approach local villagers in the study sites. Following these initial visits, local shopkeepers started working as middlemen. Since the late 1990s and 2000, Vietnamese hunters have increasingly shifted to Laos both for hunting as well as acting as middle-men for local Laotian villagers.

The Golden Turtle remains the most valuable species, fetching around i 300-400 million VND/ per kilo in the neighbouring Bo Trach district, but collectors at the communal level often sell at much lower prices. One Ruc woman from On village in 2004, for example, sold a big golden turtle to a local middle man for some 38 million VND. After discussion, the middleman convinced her to pay her with an old Minsk motorbike and build her a small house. The same turtle would have reached some 100-200 million VND in Dong Le town.

From our research, Indotestudo elongata and Cuora galbinifrons were the most frequently collected and traded species in the study site compared to others such as Cuora trifasciata, Heosemys grandis. Nevertheless, the collectors and traders reported that a large portion (80%) of collected turtles coming from Laos. In addition, local people said it was now rare see turtles in the forest now.

Table: price history of turtles in Minh Hoa district

Year	Turlte	Price (VND)	Place	Source

Before 1989	Turtles	For domestic uses		Field work 2007
1989	Any kinds of turtles (except for golden turtle)	10,000 – 20,000	Dan Hoa commune	Field work, 2007
1998	Any kinds of turtles (except for golden turtle)	60,000 – 80,000	Thuong Hoa commune	WWF/LINC 1999
2006	Rua da (Indotestudo elongata)	70,000 – 80,000	Thuong Hoa commune	Field work, May, 2007
2007	Rua da (Indotestudo elongata)	70,000 – 80,000	Thuong Hoa commune	Field work, August, 2007
2007	Rua dau to (Platysternon megacephalum)	500,000 – 700,000	Dong Le distrit town	Field work, August, 2007

Table : price history of golden turtles in Minh Hoa

Year	Price (VND/kg)	Place	Source
1980	12,000 (the cost of 3,75 gram of gold then was 18,000 VND)	Da Nang village	Field work 2007
1998	10 - 12 millions	Yen Hop village	WWF/LINC 1999
z2003	35 - 38 millions	Yen Hop village	Field work, 2007
2004	80 millions		Roberton, 2004
2006	120 millions	Hoa Tien commune	Field work, 2007
2006	400 millions	Bo Trach district	Field work, May, 2007

What we were not able to establish related to whether or not illegally traded turtles enter the legal trade chain (as it seems to be the case in the case of auquilaria) further up. What is clear is that there are legal exports of a number of turtle species gathered illegally in both Minh Hoa and neighbouring Laos. However, it would be worthwhile exploring further given that the majority of commercial exports involve turtles from the wild, some of which, according to Decree 32, may not be collected and traded for commercial purposes. It would be further interesting to explore whether the legal imports from Laos and Myanmar involve Vietnamese collectors and traders residing and working in the respective countries. This has, at least in the Laotian context, certainly been the case for illegal turtle trade to Vietnam.

Contextualizing wildlife trade chains in Vietnam

It is important to note the wider context of trade in the Vietnamese forestry sector, which reflect a series of similar trends to wildlife trade. Since the 1990s, Vietnam has had an export ban on logs and sawn wood accompanied by an 88 percent reduction in harvesting quotas (Barney 2005). There is also a long-standing ban of timber harvesting from special use forests making up a significant proportion of remaining quality natural forests. Yet wood product exports increased by 10 times reaching some 2 billion USD in 2006. While a timber quota for 300.000 m3 from natural forests was set in 1999, various estimates of the supply chain have indicated the importance of illegal timber along with plantations and imports from neighbouring countries (ibid). This reflects similar trends or issues as in the wildlife trade context. While a series of exploitation and trade restrictions are in place, e.g. related to special use forests, these continue to be illegal source areas for wildlife trade and timber (namely in terms of high value species). While the majority of this trade remains illegal, it remains to be further assessed to what extent such products also enter legal trade chains (as indicated in the case of aquilaria). A second similarity between the timber and wildlife trade involves the presence of both legal and illegal imports of timber and wildlife from neighbouring Laos and Cambodia. Whether for domestic consumption, use of processing (in the case of timber or agarwood) or for direct re-exports (e.g. in the case of turtles) such imports and re-exports remain somewhat of a legal grey-zone and at times in contradiction with trade regulations in both Vietnam and neighbouring countries. This is e.g. clear in the case of the turtle trade.

Diagnosis of the social dimension

Different tools and entry-points were used to approach the social dimension of wildlife trade and policy. The three major approaches involved policy analysis and discussion (listed above), establishing a social profile of the wildlife trade chains and assessing the role of wildlife trade and policies in relation to a series of assets groups (see common methodology).

Social profile

It quickly became apparent that a more detailed social profile of forest extractors and traders is an extremely important tool to complement the general tendency of merely speaking of “local hunters, extractors and middlemen” at the bottom of the wildlife trade chain.

Ethnic minorities neighbouring wildlife source areas

The preliminary social profile revealed both similarities and differences across the ethnic minority communities (May, Sach, Khua, Ruc) visited. Overall, wildlife extraction activities have generally been a male-domain undertaken by youths, particularly in the context of hunting and trapping in more distant forest areas. Women have also traditionally engaged in some wildlife extraction mainly in terms of non-timber forest products close to the swiddens.

The role of wildlife extraction has a century-old history, for these forest-dwelling communities, which within recent years has shifted radically from mainly involving food security, medicinal and other day-to-day purposes towards increasingly feeding into commercial wildlife trade networks. Whereas wildlife was previously consumed within households and the village, it is now mainly sold to traders.

Hunting, trapping or timber-related activities is particularly performed by young men, who may venture several days in the forest often in small groups of friends, peers or family. However, time remained and distances covered in the forest are generally shorter and involve less intensive extraction, compared to other groups described below. Most individuals from these communities mainly operate in areas 1-2 days of walk from their communities, at times somewhat further into Laos (latter has increased within the last few years).

Number of specialized extractors is increasing, yet ethnic minority individuals rarely occupy “higher level” positions in the wildlife trade chain. While some act as middlemen or small-scale traders e.g. buying up wildlife from neighbouring communities in Laos, the vast majority form part of the low-end of the chain. The types of work performed by ethnic minority members when working for outside operators is generally poorly paid manual labour under hazardous conditions. Their engagement in wildlife trade, typically involved some debt or “business” relationship with the trader or local shopkeeper. Most ethnic minority youths we encountered working for outside operators e.g. carried timber or went trapping or snaring under debt-relationships (obliging them to sell under-priced to the trader).

Nearby “outside” communities (same district, different communes)

During fieldwork, we encountered several groups of young men from neighbouring communes in the district such as Hoa Tien or Hoa Hop in the case of Dân Hoa commune, who were working for particular traders to illegally extract remaining high-value timber species, hunt or trap fauna. Most of these extraction groups were organized by the traders settling in the area calling in groups of people from their home villagers to take part in organized illegal extraction. Most of these youths did this on a temporary basis, often between labour peaks in their rice field activities, and had little or no long-term interest. They are generally paid more than neighbouring ethnic minorities, although working conditions are not necessarily much better. For instance, an young man from Hoa Tien commune working in the area would be paid around 80,000 - 100,000 VND per day, while a local K Ai person would only be paid 40,000 VND. In general, such groups are likely to spend longer periods in the forest, and generally combine wildlife extraction of high-value species with other forms of hunting, trapping and collection for food-purposes while in the forest. During fieldwork, it was clear that motor saws had within the last few begun to be employed and mainly by outside Kinh extractors, who had the financing, knowledge and equipment to use this. During fieldwork, most of these groups no longer pursued either turtles or aquilaria, and had either shifted to other species or other forms of employment. Field data from Hoa Tien and Hoa Hop revealed considerably higher levels of mobility and labour migration compared to predominantly ethnic minority Dân Hoa. There were reports of individuals pursuing “itinerant” aquilaria, hunting or trapping careers moving as border areas between Laos, Myanmar and China in search of the precious resin.

Professional/ specialized teams

A key group involves professional specialized teams of extractors whether in the case of timber extraction, agarwood, hunting or trapping. These groups come from various locations, and are virtually all Kinh. Even in a national context, professional groups from Quang Binh province are “notorious” for their forest skills. A variant of “professional activity”, involved hunters and trappers staying in forests for extended periods under contract or with regular contact with traders. During these stays, intensive hunting and trapping takes place with particular individuals hired to collect wildlife in the forest (and

deliver foodstuff) (Robertson 2004). During fieldwork, there were few indications of such operations in the area largely due to the fact that major wildlife stocks had been decimated already (e.g. within Phong Nha Ke Bang National Park). These groups have much more geographical spread than the two other groups, as well as social and economic resources necessary to cross provincial and national boundaries.

Laotian communities

Laotian communities represent a key social group in the wildlife trade chain given that the significant proportion of current wildlife coming from Laos. The ethnic diversity found in Quang Binh, is mirrored in neighbouring Laos, although often employing different names and categories (some e.g. bundled as "Vietic" peoples, (Chamberlain 1997)). While there were indications and testimonies of ethnic minority involvement in the trade, the largest quantities of wildlife extraction and trade seemed to involve Vietnamese hunters, extractors and traders.

In part, it was clear that Vietnamese traders residing or maintaining continuous market presence in neighbouring areas played a key role in linking up with Vietnamese market. Parts of these trade networks were enhanced by Vietnamese trade networks present e.g. in major Laotian town centers since colonial times. A second factor seemed to be high level of presence of Vietnamese investment and construction efforts, and an overall strong Vietnamese trade presence in general.

Whether key source areas were also areas being targeted for timber extraction and exports was not confirmed. During fieldwork we daily saw numerous trucks with round logs crossing the border from Laos, some apparently originating from the Nakai Nam Theun area (dam construction site). Although attempts to initiative fieldwork in neighbouring Laos did not work out, among other things due to conflicting time-schedules31, research revealed considerable presence of Vietnamese traders in neighbouring Laotian areas. Some of these were long-standing residents dating back to colonial times, whereas others were more recent traders actors, according to informants, having significant power and connections to local administration and customs officials.

Local traders

The vast majority of local traders (immediate buyers) were outside Kinh people either settling down in ethnic minority communities in recent years or mobile wildlife traders passing through the areas on a regular basis. Particularly the former, generally combined general trade in foodstuffs and basic necessities with wildlife trade. Another group of traders or middlemen involved the constant flow of traders of foodstuff driving through the now-accessible villages selling e.g. meat or fish. These would also, at times, buy up wildlife.

A few ethnic minority shops and other individuals were also involved in wildlife trade on a regular basis e.g. in Bai Dinh, but had seen their "market share" go down considerably with the influx of Kinh traders following road improvements. While there were indications that a few ethnic minority traders were involved in cross-border trade, the vast majority of cross-border trade with Laos was dominated by larger operations. Thus while we encountered small-scale traders operating in nearby areas, more large-scale operations

[31] The research team made contact protected area authorities in Hin Nam No (right across the border) and Nakai Nam Theun (further North) Conservation Areas, but timing was difficult due to other commitments by protected area authorities.

were clearly taking place across the border with organized transportation and larger amounts of wildlife being trafficked through the Cha Lo border crossing.

These in turn passed by small-scale traders and middlemen encountered in the commune arriving directly to higher-level traders in major towns and cities as Quy Dat, Dong Le, Dong Hoi, Vinh and further North. We have limited data on the higher trade echelons as we prioritized a focus on the local levels of the wildlife trade chain.

Assets

One of our major findings or arguments has been the relative social deficit or lack of attention paid to the social dimension of wildlife trade. The research results in terms of the different asset groups reveal this “social deficit” in more detail.

Natural assets

Linking ecological dynamics to tenure and access issues of the particular species being studied (the natural assets of communities) is critical. In terms of resource population trends, there had been no scientific monitoring of either aquilaria crassna, nor freshwater turtles by local authorities, protected area agencies or other scientific institutions. Qualitative information obtained through interviews with hunters and gatherers generally indicated significant declines of most species being commercially traded. One very important aspect, evident in both cases, involved the increasing trade in wildlife across the border from Laos. Indeed, main remaining source areas for Aquilaria were not in Vietnam, but involved Vietnamese harvesters working extensive areas and periods in neighbouring Laotian provinces as well as other Southeast Asian countries (Cambodia, Myanmar).

Physical access to both resources within the Phong Nha Ke Bang area and neighbouring Laos had increased considerably within the last 10 years through extensive road improvement and construction efforts increasing trade.

As for legal use and property rights over the resources, these remain particularly weak for the communities concerned. Not only are there severe restrictions in place at the policy level (see earlier section), the general property and tenure security situation in the area is weak.

As a consequence, communities in Dân Hoa and Thuong Hoa have had very little legal basis and actual capacity to secure control over resources and virtually inable to exclude outsiders from entering customary use and harvest areas. An open-access situation has reigned for years. The above-listed factors have created inequitable access to the target species concerned. With no legal access or ability to exclude outsiders, a scenario of equal open-access, in particular, benefiting outside traders and extractors has been created. This is compounded by the lack of equitable access and tenure security over other resources. For decades, government policy to ethnic minority shifting cultivation has been restrictive, although generally combined with de facto recognition of its importance as the backbone of local livelihoods.

Physical assets

First of all, as the main focus has been banning or highly restricting legal trade from the wild, while simultaneously not recognizing community use and tenure rights, the consequence has been the concentration of tools and equipment in the illegal sphere. This is e.g. apparent in the case of motor saws, generally owned by outside traders and extractors. A second aspect of physical assets in the illegal sphere is thus the limited capacity of communities to control the quantities and types of equipment employed.

Thus, in terms of trapping and hunting equipment, there has been a shift among ethnic minority communities from traditional low-intensity traps towards more intensive trapping techniques copying outside Kinh trapping techniques. In the case of captive breeding and artificial propagation, the lack of operational norms in terms of supporting tools and equipment among local beneficiaries has in some cases in part been compensated by local development programmes (e.g. providing aquilaria seedlings and technical assistance).

Human assets

In terms of working conditions, these vary considerably among different user groups. In terms of hazardous working conditions, there were indications of high numbers of working accidents, diseases caught during forest stays etc. In all cases encountered, costs were born by the informal workers and their families, not the traders.

Food security issues and impacts. As communities have essentially lost control over wildlife trade management, the influx of outsiders has had significant food security impacts. In several cases, core food sources had been depleted rapidly by outsiders involved in wildlife trade. This included depleted fish stocks due to overfishing with electrical gear and outsiders engaged in unsustainable hunting and trapping of “consumption” species while extracting high-value species.

This was further linked to the significant presence of debt-arrangements and an increase in social vulnerability.

Financial assets

In both trade chains concerned, relative profitability has increased considerably in terms of value per kg or specimen. The example of turtles being sold indiscriminately for 10-20.000/ kg in 1989 (except for golden turtle) towards specific species prices such as 700.000/ kg for Platysternon megacephalum illustrates the tough economics of wildlife trade. The value of “golden turtle” increasing more than 500 % in 2-3 years is another case in point. Yet, given the simultaneous pressures on the natural stocks, increasing profitability has not been accompanied by increasing income at the local level. A second factor has been an increase in harvesting costs both in terms of labour, time and equipment. Conversely, it was very clear that for the vast majority of external extractors that wildlife represented an accessible source of short-term income. Policy has until now paid limited attention to these aspects, by neglecting the potential of long-term stewardship. In terms of relative economic importance, observed increasing dependence on wildlife trade as regular, however irregular, source of income. This was particularly clear among some user segments as well as decreasing dependence on harvesting and trade of particular species. These trends are generally linked to negative drivers (loss of livelihood security, natural stocks degraded, increasing pressures on other resources, shifting source areas or species targeted). Indeed, few people dependent on short-term economic opportunities were able to identify their long-term plans or prospects when asked. The dynamics of captive breeding and artificial propagation are different. As the Aquilaria plantation experience in Huong Khe reveals, such trade (in seedlings) has created substantial benefits for a significant amount of households. Yet, the case also reveals the relative fragility of these sources of income, and the lack of a conducive policy and technical support environment (see previous discussion).

Social assets

Although not able to assess social cohesion in detail, commercial trade had resulted in less sharing of game in several ethnic minority communities visited as well as an apparent weakening of collective efforts to manage resources.

The almost complete lack of leverage with outside agents in the trade chain and local administration, was a particularly dramatic experience conveyed by local villagers, particularly in the villages of K-Ai , Dân Hoa and On, Thuong Hoa. Social vulnerability had been enhanced, not reduced by wildlife trade, and wildlife trade has had very little to say or initiate in terms of changing this situation. This social vulnerability was particularly evident in terms of the most forest-dependent communities, which however, equally could benefit the most from a more socially inclusive wildlife management and trade policy.

Governance assets

As per findings on tenure security etc, the formal governance status of communities is shifting from one of no tenure security, but legal or de facto accepted access (as part of de facto open access situation) to one of increasingly tenure security in agricultural lands (fixed cultivation, but not shifting and old fallows), and increasing legal prohibition of harvesting and trade in CITES species. While CITES trade in theory allows for legal harvesting as an initial step in international trade, this was virtually absent on the ground, where other more restrictive policies were more “present”. Local people do not know the legal issues, requirements and considerations and are rather constrained to market interaction determined by the illegal trade chains, which are likely to work (faster) in any case. Whereas the forestry law requires “special regimes” for endangered species, this were hardly in existence, at least not in planned ways. It was basically inconceivable by local communities to ask for permissions by “competent state bodies” (as the forest law requires) – rather an informal permit system reigned following no or very different rules from those specified. It involved all illegal trade, even though the species in concern in theory could be legally traded.

There was limited evidence that communities in source areas had the governance assets to influence the wildlife trade chain. Furthermore, field data revealed high levels of influence of Vietnamese traders in terms of public administration and (illegal) wildlife trade chain management. The ability of a trader to secure “certification” of wild-sourced aquilaria as plantation-origin, is a case in point. In the case of captive breeding, a relatively detailed set of technical and administrative requirements presents obstacles to local communities, who rarely have the capacity, resources or connections to fulfil them (nor bypass as more resourceful actors are often capable of !). Such technical and administrative requirements e.g. concern registering, cage sizes, permits and certificates etc. (82/2006/ND-CP). The point here is not to de-regulate as such requirements are particularly critical in the context of CITES species, yet the difficult reality of local communities to access and benefit from such mechanisms and procedures.

Factors affecting social dynamics and wildlife trade

This field research has revealed a complex set of social dynamics associated with wildlife trade and policies in Vietnam. What from a superficial gaze may appear as over-harvesting driven by poverty and trade demands, instead reveals a more complex set of challenges and opportunities to link social development and conservation.

Indeed, both case “species” chosen reveal similar patterns in terms of market demands creating an intensive rush, which relatively quickly decimated resource stocks. Yet, such a description easily neglects the more subtle social and economic dynamics at stake.

In terms of social profiles, a variety of local actors are involved in the wildlife trade chain positioned differently in terms of benefits received, ethnicity, working conditions and relationships to the resources concerned. Such differences e.g. between ethnic minority communities living in source areas, outside traders and professional hunters are critical to the Vietnamese government effort to target and flesh out policy measures corresponding to the social reality.

Understanding this social make-up or anatomy of wildlife trade chains in Vietnam, involves taking into account socio-economic divisions and relationships as well as wider policy and development context directed towards or affecting communities in wildlife sources areas. An x-ray of the social anatomy of wildlife trade chains reveals how such trade chains reflect the wider picture of benefit distribution from current development processes.

Trade and associated benefits is mainly controlled by outside trade networks and urban centres, whose presence and influence has expanded considerably in the last decade linked to infrastructure development and market integration. The case study illustrate the challenges faced in terms of securing equitable benefits and participation in the economic boom experienced in Vietnam, but also identifies some specific issues and opportunities to redress this situation.

The case study revealed deteriorating customary livelihoods (e.g. shifting cultivation) and local development needs priorities being neglected despite increasing resources and government commitment to these areas within recent years. This was particularly evident among ethnic minority communities. Such factors may not directly relate to wildlife trade, but play a significant role in creating local dependence on engaging in unsustainable harvesting and trade.

A complex set of tenure issues remains a central challenge and opportunity not only to reinforce social incentives for sustainable wildlife trade, but equally catalyze better and more sustainable livelihood opportunities among the ethnic minority communities in the area. This particularly relates to securing strengthened use, access and tenure security over forest and traditional shifting cultivation resources. Currently wildlife management and trade policy remains weak in these aspects keeping a strong restrictive focus. There is a good opportunity.

Field research also identified high levels of deteriorating food security, vulnerability and poor working conditions among many of the communities surveyed. Whereas many Kinh youths had shifted to other forms of employment or resources, ethnic minority youths seemed particularly affected by negative impacts of wildlife trade and caught in a vicious circle of resource degradation, poverty and fewer alternatives.

While in part linked to the impacts of wildlife trade in the source areas, we also identified this particular vulnerability as linked to negative impacts of wider development and natural resource management policies in the area. Whether in terms of land, forest or economic policies these have generally failed to build un customary resource use, management practice and livelihoods, and rather sought to replace these with poorly functioning alternatives.

One of the main preoccupations among Vietnamese policy makers relates to job and livelihood aspects of wildlife trade both sourced from the wild and from captive breeding and artificial propagation operations. While wildlife trade (from the wild) clearly employs a lot of people on a full or part-time basis, this research has revealed how jobs are generally unsustainable, of poor quality and only in a very limited benefit local

communities neighbouring wildlife source areas. While there is overall commitment to address poverty concerns, current wildlife trade policy is yet to more explicitly address the income, job and livelihood aspects of wildlife trade. While a large is deemed illegal, it continues to exist and remains important, yet informal. However, neither in the context of legal wildlife trade is there a strong policy emphasis on livelihoods, benefits and job creation in wildlife source areas. This is left to the market mechanisms. This is evident e.g. in the case of captive breeding and artificial propagation, wherein some employment has been created, yet generally in a spontaneous manner.

Yet, this is fundamental gap and opportunity, not only because such areas are generally among the poorest in the country, but equally because such policy measures may create the necessary social incentives to shift towards more sustainable harvesting and trade with more benefits remaining in the local communities.

Clearly, research revealed how financial assets such as profitability and the relative economic importance of wildlife harvesting had undergone considerable variations, yet were severely affected by the inability to manage resources collectively and sustainably. Markets are controlled by illegal traders, often even access to the legal trade chain further up.

This reflected an overall situation of poor leverage capacity with outside actors, and very limited influence on the distribution of benefits within the wildlife trade chain (what we labelled as governance assets).

To what extent are these findings relevant for the wider wildlife trade context in Vietnam? In terms of limitations, it is clear that research did not include marine species and concerns, which in the Vietnamese context implies a different set of actors, issues and policy concerns. Secondly, due to resource constraints, field data was only gathered for a relatively short period in a small area in Northern Central Vietnam. There are very likely a series of other social dynamics to be addressed. Thirdly, the analysis only deals peripherally with captive breeding issues, and artificial propagation.

However, a number of factors point to the wider relevance. A significant proportion of national wildlife trade remains illegal, and involves similar trends in terms of pressures on source areas, protected areas, shifts to Cambodia and Laos.

Concluding remarks and recommendations

The Vietnamese government is committed to linking wildlife trade policy and poverty reduction. This initial analysis of the social dimension of wildlife trade and policy in Vietnam has revealed a series of challenges and opportunities in terms of translating this into practice.

Unsustainable wildlife trade is rapidly deteriorating biodiversity in Vietnam. It is also undermining possibilities to strengthen food security, sustainable forms of employment and livelihoods based on wildlife harvesting and trade in key source areas both in Vietnam and its neighbouring countries. This is affecting some of the poorest and most vulnerable communities within the country, as well as in neighbouring Laos and Cambodia.

We encourage policy reform to strengthen incentives and participation of local communities in both stewardship and enforcement activities. This involves reforming both wildlife trade policy itself and wider associated policies. In the case of wildlife trade policy, there is an urgent need to strengthen coherence between Decree 32/2006/NĐ-CP, CITES decree “82” and wider CITES commitments to build a legal trade regime,

which supports sustainable commercial harvesting and trade of appendix 2 species, and particularly targets local communities in source areas in terms of preferential measures and rights.

In terms of wider associated policies, there is a particular need to reform natural resource, tenure and development policies pertinent to wildlife source areas. This case study particularly identified negative impacts on both wildlife harvesting, trade and livelihoods of policies related to shifting cultivation, land tenure, protected areas, infrastructure development, trade facilitation and top-down development planning. Policy reform in such “contextual” policies are equally important as internal wildlife trade policy reform aspects.

Vietnam has within the last decade developed a considerably body of policy instruments and institutional mechanisms to deal with wildlife trade. Their implementation and functioning is, however, closely linked to wider dynamics. This report argues for the urgent necessity of strengthening the social dimension of wildlife trade policy in Vietnam. We have detailed some of these recommendations in a policy brief shared with policy makers (Larsen and Tran 2007), where we propose a series of practical steps forward. The current national policy review and reform process is a key opportunity in this respect, and throughout this process we have received good indications that Vietnamese policy-makers are keen to take these “social dynamics” on board in their considerations. The finalization of and follow-up to the new biodiversity law is a critical benchmark in this respect.

Annex 1: Asian Turtle Network Compilation of Turtle Species

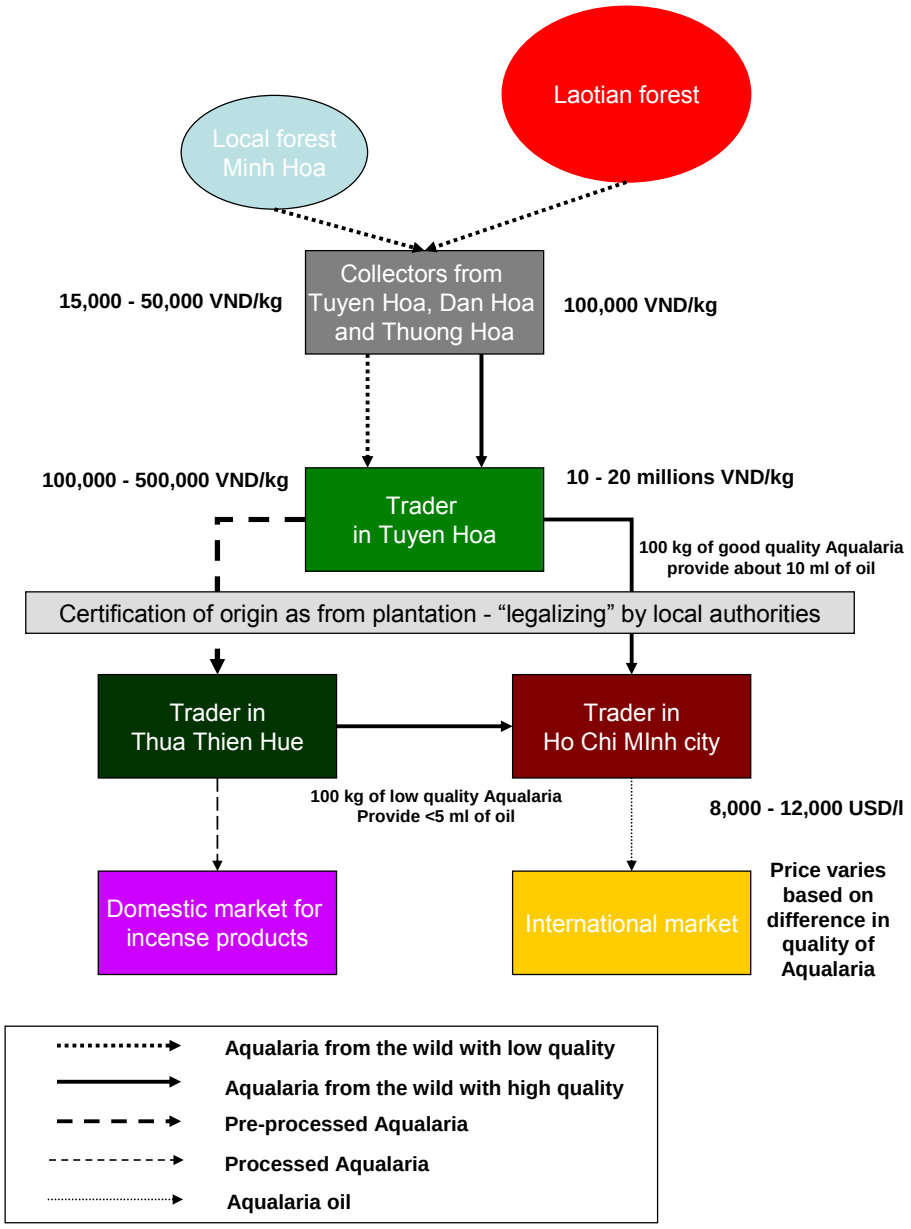
QuickTime™ et un
décompresseur TIFF (LZW)
sont requis pour visionner cette image.

Annex 2: Import and export figures: freshwater turtles

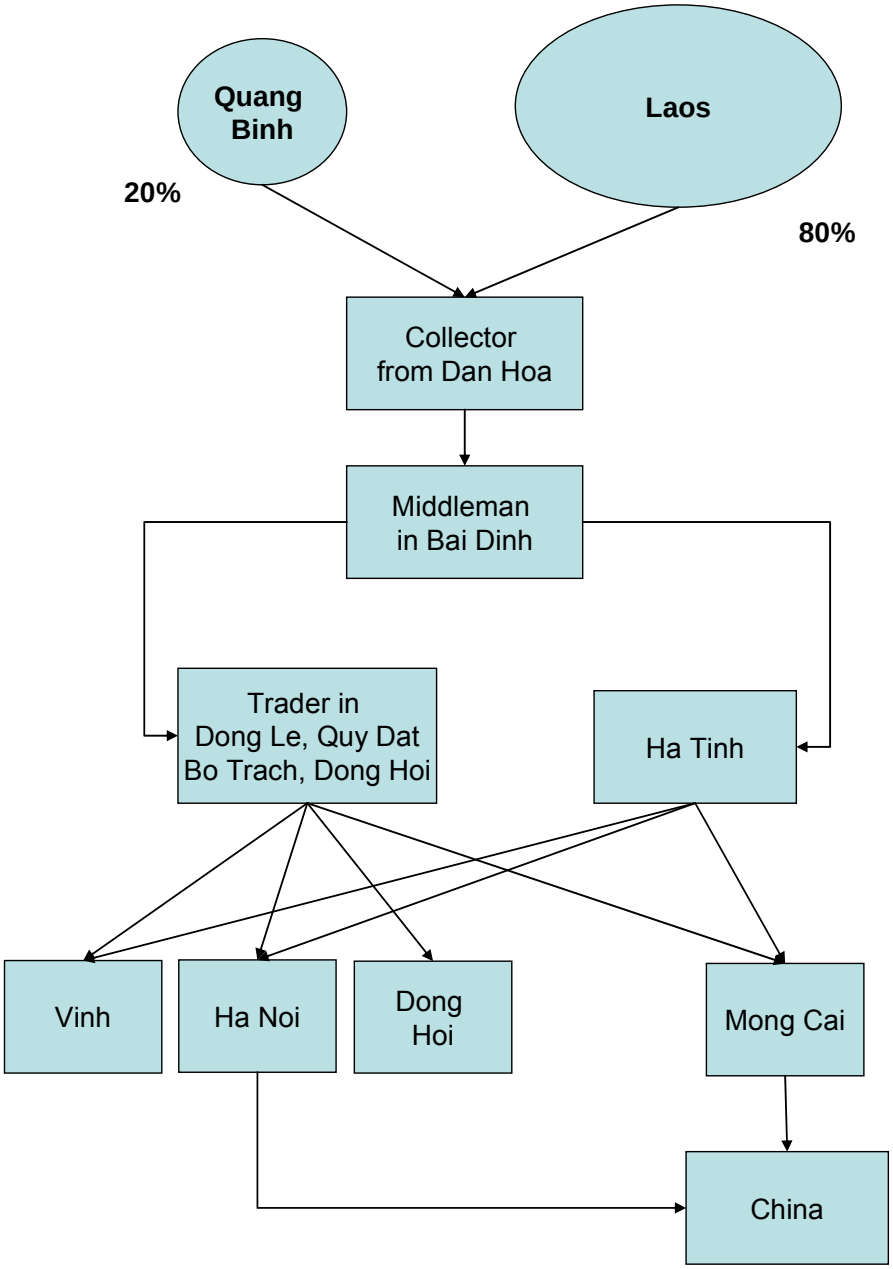
Legal import figures for Vietnam from 1999 to 2006 included in the CITES trade database were the following:

	2000	2001	2002	2003	2004	2005	2006
Platysternon megacephalum							1500 (LA)
Callagur borneoensis							1000 (MM)
Cuora amboinensis		1000 (ID)		1400 (MY)		1000 (LA)	0
Cuora Galbinifrons							1000 (LA)
Cuora trifasciata						8 (LA)	20 (LA)
Heosemys grandis				300 (MY)		1000 (LA)	4000 (MM)
Heosemys spinosa				300 (MY)			
Hieremys annandalii				300 (MY)		1000 (LA)	0
Mauremys annamensis							34 (CN)
Orlitia borneensis				300 (MY)		1000 (LA)	0
Sacalia quadriocellata							500 (MM)
Siebenrockiella crassicollis				1900 (MY)		1000 (LA)	0
Geochelone platynota							500 (MM)
Indotestudo elongata							1000 (MM)
Manouria impressa							500 (MM)
Macrochelys temminckii							2000 (MM)
Pelodiscus sinensis							9000 kg (Thailand)
Testudo horsfieldii	1 (RU)						
Exporting countries listed in parenthesis, Source: UNEP-WCMC CITES Trade Database (14/11/07, 10/12/07)							

Annex 3: Illegal Aquilaria trade chain in Quang Binh



Annex 4: Illegal trade chain of turtles



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từ biển, quá cảnh, nuôi sinh sản, nuôi sinh trưởng và trồng cấy nhân tạo

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Lessons learned from review of national wildlife trade policy review processes

Methodology

Introduction

In each society, organisation, village, or community, a set of norms is defining the way individuals interact with each other and with the environment. These norms can be included, or not in a public policy (decisions or resources allocations forms in a more or less authoritative manner, it concerns a public and defines goals and objectives to achieve, set according to specific norms and values (Thoenig, 1985: 7). Most countries have public policies that relates to wildlife in general and some to wildlife trade. Members of CITES, as part of their obligations, should have a national wildlife trade policies or being in the process of developing one. The project "Enhancing National Capacities to Assess Wildlife Trade Policies in Support of the CITES" or CPR, aimed at helping countries to undertake an assessment of their national current or planned wildlife trade policies.

How does this project evolve from an international effort to a locally grounded review process? What are the experiences and perceptions of the national review institutions and other national stakeholders regarding the organisation and the process in general? What is the role played by different actors in the review process, what is their influence on policy discussions and outcomes? What are the emerging recommendations for future policy review and reform processes? What are the lessons learned in linking policy review processes with policy reform?

The objectives of the study are to answer these questions and more broadly to:

- To assess the governance of the national wildlife trade policy review process; and
- To draw lessons from the review experience with respect to participatory process, decision making and organisational aspects.

IHEID collected data to extract lessons on these aspects in four of the participating countries. These studies concentrated on documenting the review process, with respect to the description, perception of stakeholders and analysis of the process. This entails assessing the role and importance of informal dynamics (participation, organisation and decision-making), in influencing the policy review process and outcomes. The governance framework elaborated by IHEID served as an analytical tool to address these issues. It involves collecting data on a number of elements such as norms, actors (stakeholders), process (time dimension) and nodal points (observation areas, in space or virtual terms) (Hufty, 2004: 5). The observation and analysis of these elements allowed determining the role played by every groups of actor in the review process, their interest, discourses, levels of influence in shaping policy review results and outcomes, strategic interactions in the decision making process, possible collaboration in action, stakes, rules, power centres, interdependences, areas of consensus, and objects of conflicts…

The analysis was based on the observation of the whole process and specifically on data collected before, during and after the stakeholder workshops. Once analysed, the results generated will lead to two different levels and types of outputs: a) A brief summary of lessons learned per countries and recommendations for future policy reviews and b) An academic article on the governance of policy review and reform

processes. The present Annex presents the methodology used to undertake this study. The complete report, including results analysis, will soon be available.

Research Question

The research aim at addressing what dynamics influence this review, in terms of actors, organisation, formal and informal processes and decision making procedures. The governance analytical framework (see next chapter) was applied to the four national reviews. It allowed the analysis of norms, actors, process and nodal points in each country. In addition, it permitted a comparison of processes and an assessment of the importance of specific national factors, as well as elements that can be generalized to most countries.

Governance Theoretical Framework

Governance is used in a number a different sense, including 1) as a synonym of government, 2) as a normative concept (the good governance of the World Bank; voice and accountability, political instability and violence, government effectiveness, regulatory burden, rule of law and control of corruption), 3) as non hierarchic coordination systems including corporate governance (or how to pilot organizations and universities), global governance or a modern phenomenon linked to States (where self-organising networks are being involved and are taking the lead in areas traditionally occupied by States), and 4) as a tool to address the process of conducting a society.

Governance is used here as a conceptual and analytical framework that aims at addressing the process of conducting a society (fourth option) (Hufty, 2004: 1). It builds partly on the global governance and modern governance approaches but in addition considers that every society (local, national, international), at every period of time is undergoing a governance process. In that respect, governance as an “object” or a “social fact” can be decomposed into its constituting elements; norms (behaviour guidelines), actors (stakeholders), process (various states by which the system is undergoing, closely related to time) and nodal points (observation areas, in space or virtual terms) (Hufty, 2004: 5). All these elements can be either formal or informal.

In each participating countries, there is planned or ongoing formal process of national wildlife trade policy-making. The CPR project aims at accompanying these countries in the review of this policy. It can therefore be considered as an external intervention. In reality, this formal process and the external intervention are not the only forces that effectively shape the actions of stakeholders and the conservation in a country. The “practices” of the various actors is another important element to include in the analysis. They can be formal (e.g. the voice attribution allow every stakeholders to express his or her views during the stakeholders workshop) or informal (e.g. only the government representative talk). The Governance Analytical Framework for the national review process can be represented as the following:

	Norms	Actors
Public policy		
Practice		
External intervention		

Norms

Norms are taken as an action principle, or standards of behaviour defined in terms of rights and obligations (Krasner, 1982). More precisely, norms regroups the rules or models learned and shared by numerous actors, legitimized by collective values, organized in systems and functioning as codes or guides, and for which disrespect or transgression leads to sanctions (Ferréol, 1995). Three types of norms can be assessed: Meta-norms, constitutive norms and regulatory norms. They can be of formal nature (written or customary laws) as well as informal (norms that are not codified within law or contractual texts).

Meta-norms are principle, which are not explicit in the texts or law documents, but which guides the "social contract" and provides commons values and believes to societies (Hufty, 2004: 6; Hufty, 2001: 22). In the context of CITES, "sustainable use" or the "necessity to preserve" are good examples. In the context of the review process, participation, legitimacy, ownership, transparency, and accountability are meta-norms.

Constitutive norms relate to how the conduct of a society (organisation, process, or meeting…) is organised. They define decision-making mechanisms, as well as actors hierarchy (who impose their values, believes and rules) in the decision making process (Hufty, 2004: 6). In the CITES context, constitutive norms include the formal procedures for the amendment of Annexes or for the adoptions of decisions and the national wildlife trade policies negotiations and amendment procedures as well as the informal dynamics. In the review process context, the formal constitutive norms include the instruction provided by the international partners with respect to the constitution of the Steering Committee, the review team, the organisation of the review, the consultation process and stakeholders involvement, etc. The informal constitutive norms regroups the effective consultation process and stakeholders involvement: voice attribution, voting rules, official languages… as well as space and audience for stakeholders to express their views, various unsaid influences and obligations between stakeholders, room organisation, language effectively used….

Regulatory norms regroup the rules that define what behaviour is adequate and accepted in a society. In the case of CITES, they regroup the set of regulations regarding the trade in Wildlife species (original Convention text and decisions at the international level, and national wildlife trade policies). In the context of the review, they are the national law, code and rules linked to wildlife trade (including implementation procedures for the customs officers…???

Actors

Actors or stakeholders are individuals or groups of individuals that have an interest, may it be social, economic, political, or that are affected by wildlife trade regulations more broadly and more specifically in the review process. Every stakeholder does not have the same interest, means and level of influence in this process (Hufty, 2006). Comparing the stated and the real interest I as well critical. This can involve assessing the financial and political will of stakeholders regarding the achievements of the recommendation resulting from the review. Such initiative can be supported by good intentioned stakeholders with few financial means. This can be the case of environment ministers, citizen groups, or local communities. Financially and politically important actors might not be involved in the process or if present, might not have the real intention to engage and to bring support. Addressing this aspect involves questioning

whether influential and well-funded ministries, chamber of commerce and private sector, are engaged in the process? To what extent do they commit to support the process?

Relevant actors will include: National and local state representatives, line-agencies in charge of natural resource management, economic, trade and development policies, enforcement authorities, local communities, Harvesters and hunters such as indigenous peoples and local communities (for subsistence and for commercial purpose), committees in charge of conservation or trade issue, traders, dealers, CITES management and scientific authorities, scientific community, etc. Any actors perceived to be antagonistic to the process should also be included in the analysis.

Process

In this study, we will address the norms and actors at various times: before the project (including the constitution and the work of the National Steering Committee and the Review Team), during the two stakeholders workshops, and if possible, after. In other worlds, the governance process or the successive states of the national wildlife trade policy-making (Hufty, 2004):

T0: before the project (National Steering Committee and Review Team)

T1: Review (1st National Stakeholders Workshop, project launch, field work, report)

T2: Implementation phase (policy reform) (all stakeholders)

This can be observed through nodal points, the physique or virtual spheres where stakeholders converge (social interfaces, Long, 2001). In the context of the national wildlife trade policy review, stakeholder workshops are nodal points, as well as…

Specific questions

The overall question of this study is what dynamics influence the national wildlife trade policy review. More specifically, what are the actors and norms (formal and informal) that influence the national wildlife trade policy review process? What is the perception of the actors regarding the governance (norms and actors) during and as a result of the process?

When analysing the description and the perception of the actors, we will concentrate on the power relationship among actors. This is the object of our research. This will be observed through oral and written discourses of stakeholders, ad specific observations, which represent the fields of observation. Our main hypothesis is that the actors that hold the most influence and power will lead the process. The influence is a function of the capacity (resources) of the actor, his/her will, and interaction with other actors. The categories of indicators are presented in Grid 1.

Tools

Selection of case studies

The case studies are the review process of each country. Observation will be conducted during the first and final National Stakeholder Workshops and interviews conducted with members of the National Steering Committee and The National Review Institution.

Data collection

This study aims at extracting lessons learned and understanding the governance process during the whole duration of the review. It therefore includes assessing the governance dynamics of the stakeholders, including the National Steering Committee and the Review Team, for all of their activities (the launch meeting, the preparation of the review, the Stakeholders Workshops, the review itself and the final report). The data will be collected during the whole review process, including the launch meeting, the National Stakeholders Workshops, the national review, the fieldwork on social dynamics of National Wildlife Trade. Among these moments, some will be more significant. The project launch and the First Stakeholders Workshop will be the opportunity to:

Observe and document the stakeholders involvement and the whole review process (see Grid 1 below);

Identify key informants from key stakeholders (e.g. members of the National Steering Committee, the Review Team, or other stakeholders) and plan interviews with them;

Have a questionnaire filled by stakeholders involved in the review process;

Identify, coordinate with and train the assistant that will contribute to the data collection; and

Identify the "production-trade-consumption chain" that will be further addressed during the social dynamics field study and start gathering documentation and data.

The social dynamics fieldwork will also be an opportunity to observe and document the review process, and to interview key informants to get their views of the review process.

The Final National Stakeholder Workshop will allow getting a second round of data on the category of information obtained during the first one. It will also be an opportunity to interview the remaining key informants, in particular the review team, once the review is done. This is important to complement the data that will help understanding the governance dynamics of the review process.

The research activities during the review project are described in Grid 1 (below) and include assessing main aspects of the review process: stakeholders involvement, policy review /process methodologies, National Steering Committee, review institution or review team, outputs and follow-up. This will be done through three research moments:

1. Description (activities, organisation and stakeholders)

Who is involved, what activities are being undertaken, what group are formed, how?

2. Perception of stakeholders

What are the vision and perception of the stakeholders with respect to the review process, the ownership of the process, the interactions with other stakeholders (nationals and internationals)

3. Analyse of governance

What are the lessons learned with respect to the participatory process, the review methodologies and organisation? Which rules are shaping interactions? How? What is at stake? What are the conclusions with respect to the usefulness, success and future of the process?

The observation of the First National Stakeholder Workshop and the Launch meeting will allow gaining information on the formal aspect of the process (official actors, review process, national policy making process). However, a first contact with stakeholders will also permit to overview some informal dynamics. The second fieldwork will be mainly oriented toward informal aspects, including assessing with more precision what is really happening in the trade of a specific commodity, or “filière”. The final National Stakeholders Workshop will allow complementing both sets of data.

Observations and interviews will be conducted by an IHEID research team including a local assistant engaged by IHEID. When IHEID researcher can not be present, the assistant will conduct the research activities with the guidance from IHEID researcher. Background documentation and training in observation techniques and data collection (see next section) as well as the specificities of that study will be provided to the assistant by IHEID researcher in advance.

Information to document the lessons about the wildlife trade policy reviews processes will be obtained with the following categories:

Grid 1: Description, perception and analysis of the process

	Stakeholders involvement	
	Information category	Technique (how and where to find data)
Description	Description of stakeholders involved (who is involved, participate, speak)	Direct observation
	Stakeholders status, role in the organisation	Workshops documents (presence sheets, invitation letter, meeting agenda, report…)
	Function of the organisation in the review process and in the national policy process	Project report
	Controlled resources and capacity ($, land, rights to use…)	
	Action mode (discussion, representation, mass movements, activism, lobby, formal intervention…)	
	Levels and types of information received	
	Consultation techniques (field visit, participation of local stakeholders…) throughout review	
Perception	Information received /perceived disparity	Questionnaire
	Vision / preferences/ motivation/ discourse / social stakes regarding the national review process	Interviews with stakeholders after workshops and during the review
	Perspective expressed –extent to which stakeholders feel their perspectives taken into account?	Interviews with SC and review team
	Perceived ownership of the process	Interviews with workshops organizers
	Perceived representativity and relevance of stakeholders involved by review team and SC (how choices were made on stakeholder involvement etc)	
Analyse	Relevance of stakeholders involved (harvester/ producer/ trader /ministries…)	Analysis and interpretation
	Representativeness of stakeholders and groups (number of people it represent, election or representation type, etc.)	
	Space and audience for every stakeholder or group leader to express its concerns	
	Representativeness of diverse opinions in the final texts/decisions	
	Formal and informal rules that govern Interactions, collaboration, decision making, conflict zones, dialogue and interdependences among stakeholders	
	Level of achievement of a consensus in the final texts/decisions	

	Policy review /process methodologies	
	Information category	Technique
Description	National organisation of the process (how methodologies, review, events organisation are choose …)	Questionnaire
	Proportional time allocated to various activities (SWs, Steering committee meetings, review, report writing…)	Observation of the process
	Language issues related to involvement in the review process	Workshops documents (presence sheets, invitation letter, meeting agenda, report…)
	Linkages built with national policy process	

		Project report
Perception	Perceived effectiveness of the organisation of the process	Interviews with SC, review team and stakeholders
	Perceived potential of the review process to bring positive outcomes	
	Perceived relation with international project partners	Questionnaires
Analyse	Lessons about approaches/ methodologies	Analysis and interpretation
	Lessons about process as such – what makes a policy review process work well	
	Lessons learned on the choice of field studies	
	Commitment of stakeholders (including influential and well funded ministries, chamber of commerce and private sector)	
	Analysis of CPR project impacts in relation to national policy processes	
	Lessons about national and international collaboration in policy review processes	

	National Steering committee	
	Information category	Technique
Description	Who's in it	Observation of NSC
	Frequency of meetings	Consultation of NSC minutes, reports…
	Output produced?	
Perception	Perceived ownership of the process (national, across sectors etc)	Interviews with NSC members
	Perceived lessons learned in making NSC effective (membership, ways of functioning etc.)	
	Perceived relationships with international partners	
Analyse	Lessons about the utility ot the NSC, its membership and work	Analysis and interpretation
	Lessons about national and international collaboration in policy review processes	

	Review institution and review team	
	Information category	Technique
Description	What is the composition / expertise of the review team	Observation of review field work (when possible)
	What is the position and role of the institution/ team in the national policy process (independence, credibility)	Consultation of review minutes, reports…
Perception	Perceived ownership of the process (national, across sectors etc)	Interviews with the review team
	Perceived lessons learned in doing such a review	Interviews with stakeholders involved by the review team
	Perceived relationships with SC	
	Perceived relationships with international partners	

Analyse	Lessons about competencies, skills sets needed Lessons about national and international collaboration in policy review processes Lessons about review institution role an responsibility	Analysis and interpretation

	Outputs	
	Information category	Technique
Description	What type of outputs came out of the review process? Who produced it? Distribution?	Collect project outputs (report, result dissemination…)
Perception	Perceived utility of the final product of the review Perceived strength and gaps?	Interviews with SC and review team and other stakeholders at the end of the review
Analyse	Lessons about the policy review output : relevance/ accessibility/ language/ utility	Analysis and interpretation

	Follow-up	
	Information category	Technique
Description	How has follow-up been organized in the different countries? What concrete follow-up activities were developed?	Consult action plan documentation if available / summary of NSC meetings
	Linkages made with mainstream public policy processes (e.g. parliamentary groups/ MPs, gov think tanks, other policy reform processes?)	Interviews with stakeholders and NSC members
Perception	Perceived potential of the review process to bring real policy changes Perceived effectiveness of the follow up activity?	Interviews of NSC, review team and stakeholders
Analyse	Analysis of the follow up of the review process, where does it lead? What are the lessons with respect to the follow up?	Analysis and interpretation

Collection tools

Observation

Observation in the National Stakeholders Workshops, the launching workshop, the national review and during the fieldwork on social dimension of National Wildlife Trade Policies will provide opportunities to get information on policy review dynamics including interactions among stakeholders, decision-making process, network rearrangements, alliance, agreement reaching, negotiations, etc. It is an important source of information in understanding relationships and observing practices (as opposed to only having verbal or written accounts) thereby allowing for “on-site” accounts of how choices were made and on what basis. Issues addressed during the observation of the Workshop are presented in Grid 1.

Semi-structured interviews

This technique will allow collecting qualitative information such as opinions and perceptions regarding policy context, the review process as well as the governance dynamics. In this context, actors targeted for individual interviews will include those involved in or affected by the policy review process such as CITES management authorities, members of the CPR National Steering Committee, review team, government representatives, local communities representative, traders, harvesters representatives, scientists, specific groups (indigenous, peasants), private sector… Issues addressed for the description and perception of stakeholders are presented in Grid 1. Specific guidance questions can be developed for each countries.

Collection of secondary data

These include existing reports, evaluations, statistics, policy documents and baseline and monitoring data from CITES authorities, NGOs and other relevant agencies.

Questionnaires for participant

In order to have a mix of qualitative and quantitative data, a short evaluation of the workshop will be performed, addressing few specific questions:

(See separate document)

III.4 Data analysis

The data collected will allow for two sets of analysis. The data collected will allow, on the one hand, drawing lessons regarding the process and the experience of stakeholders. On the other hand the data will be compiled and analysed with the governance tool. The presentation of the results should reflect and highlight findings with respect to the review question. The following dimensions will be considered

LESSONS LEARNED FROM UGANDA

Introduction

IHEID conducted studies and collected data to extract lessons on several aspects in Uganda, including documenting the review process, with respect to the description, perception of stakeholders and analysis of the process. This entails assessing the role and importance of informal dynamics (participation, organisation and decision-making), in influencing the policy review process and outcomes. It also involved collecting data on a number of elements such as norms, actors (stakeholders), process (time dimension) and nodal points (observation areas, in space or virtual terms). The observation and analysis of these elements allowed determining the role played by every groups of actor in the review process, their interests, discourses, levels of influence in shaping policy review results and outcomes, strategic interactions in the decision making process, possible collaboration in action, stakes, rules, power centres, interdependences, areas of consensus, and objects of conflicts. The governance framework elaborated by IHEID served as an analytical tool to address these issues.

The analysis was based on the observation of the whole process and specifically on data collected before, during and after the stakeholder workshops and interviews. The results generated have lead to the following outputs. However, this project is just at its end, while the results will be more apparent in a few months. Therefore, the results presented here are preliminary.

1. Description

Stakeholder's involvement

The project was conceived as a participatory one, as clearly reflected in the methodology of the framework. In Uganda, the wide participation of key stakeholders in wildlife conservation, management and trade was called for. This was mainly done through the organisation of stakeholder's workshops and few field visits.

Through direct observation and consultation of workshops documents and reports, it is very clear that most wildlife trade stakeholders got involved in various stages of the project. These include Uganda Wildlife Authority (UWA), National Forest Authority (NFA) and Department of Wildlife Conservation in the Ministry of Tourism, Trade and Industry (MTTI). Both UWA and MA play a key role in developing wildlife trade policy but also in implementing it. Other stakeholders included, National Environment Management Authority (NEMA), Advocates Coalition for Development and Environment (ACODE), private sector, research institutions, TPB, local governments, and NGOs.

One stakeholder workshop was organised at the beginning of the process (07 august 2007) and the other one after the review (April 03 2008). Only one day were allocated for each stakeholder workshops, which is very little. However, the large number and great diversity of responses that came out in these processes were very constructive, thought out, and represented recommendations that could potentially be condensed and implemented in the national wildlife trade policy review to improve and promote the wildlife trade.

Each time, perspectives, opinions, and recommendations were solicited from a variety of different stakeholder groups, in a participatory process and then collective opinions were summarized and presented in an open forum during workshops. An attempt was made to arrive at consensus from divergent views and to resolve a broad strategy for the future of the wildlife trade policy and its implementation.

Policy review /process methodologies

The project was mainly implemented by two Government agencies, namely the MTTI, which is the CITES Management Authority for Uganda, and the National Environment Management Authority NEMA, with the collaboration of the Uganda Export Promotion Board/National BioTrade Programme. ACODE was designated to take lead in conducting the review.

Methods for the review were based on the framework for reviewing national wildlife trade policies developed jointly by CITES Secretariat, UNEP and the IHEID.

The review project that involved two stakeholder workshops, fieldwork and consultative meetings produced a great volume of information. The results were representative of the views of the different stakeholders involved, including local communities.

Having a national language 'English' understood and used by all stakeholders in major consultative workshops was clearly an asset. Translation was done by the review team and researchers during field work in local languages for verification or clarification.

National Steering Committee and review team

A Project National Steering Committee (PSC) composed of experts from government agencies, NGOs and the private sector was established. The PSC was responsible for providing overall technical guidance and inputs to the review process in such way as to ensure that the project' objectives are achieved. The composition of the Committee at least at its first meeting on August 02 (2007), is mainly of Government people, seniors, but not the highest level (which was identified as a potential problem by the Executive Director, Dr. Henry Aryamanya Mugisha). Only one NGO was present, and was supposed to represent the local people interest. No association and private sector were present. Uganda Wildlife Authority was not represented, as well as some key governments, such as fisheries (the invitations were apparently lost) (see table below). This was unfortunate, as it could have benefited the project to have guidance from a more various constitution. This was largely corrected during the subsequent meetings of the Committee during the course of the project.

Composition of the Steering Committee first meeting

Name	Institution
1. David L. N Hafashimana	National Forestry Resources Research Institute.
2. James Lutalo	MTTI
3. Margaret K. Kaggwa	UNIPA
4. Bingi Susan	UEPB/BIOTRADE Programme
5. Nuwe John Bosco	IUED
6. Gagnon Sandra	IUED
7. Tugumisirize Obed	National Forestry Authority
8. Dickens Kamugisha	ACODE
9. Teddy Tindamanyire	MWE-DEA
10. Naiga Jessica Ayebazibwe	NEMA
11. Annet Nakyeyune	UWS
Dr. Aryamanya Mugisha Henry	NEMA
Dr. Festus Bagoora	NEMA

Ogwal Francis	NEMA

2. Perception of stakeholders

Analysing the individual interviews, it appears that most of the stakeholder groups perceived benefits from this project. The exact nature of the potential benefits varies from one group to another. It ranged from an increased awareness of the wildlife trade sector for local people, the possibilities of facilitated business for traders to the potentially clearer and more applicable policies for governments. UWA, NFA, private sector, research institutions, community groups, and conservation and development NGOs do all agree that the project programme has been a good thing. From MTTI's perspective, these benefits have been manifested most clearly in the attendance and open discussions among the stakeholder, in terms of creating better working relationships. For example, there was consensus among all stakeholders that issues, such as coordination, may be much better than it was in the past.

The UNEP, CITES UNCTAD and IHEID roles in the country project is clearly acknowledged by all stakeholders. However, some stakeholders are expecting the project' partners to play a major role in its continuation, in shaping the future of the wildlife trade policy and in facilitating the processes that were agreed.

3. Analysis

Stakeholder's involvement

The participant' representation at the first stakeholder workshop included government (except fisheries), academic, private sector, NGO (see table below). Overall, few research institutions and NGO were there. Tree, out of 13 companies dealing with wildlife trade attended the workshop. Those present were very participative and contributed in the debates. Representation of local communities was poor, i.e. no local associations were present.

Participants to the first Stakeholder Workshop

Wildlife managers	
Tindigarukayo Justus	MTTI/ CITES
Lutalo James	MTTI
Bingi Susan	MTTI (BT)
Amanya Samuel	UWA
Kasumba Magret	UWA
Mugabi Steven	Min.of Water and Environment
Ndimo James	Wetland Management Dept.
Namakombo Norah	Wetland Management Dept
Mujasi Isaac	Chimp Sanctuary
Birungi Bonny	NEMA
Karekako Maim	NEMA
Akello Christine	NEMA
Tugumisirize Obed	NFA
Research groups	
Majembe Japhet	NARO
Bakuneta Christpher	MAK
Ellu Gerard	MAK
Musenero Monic	MAK

Dr. Kalema James	MAK
Mukunya Jane	NCRL
Kahura Ester	NCRL
Tumushabe Gobler	ACODE
Timusiime Gertrude	ACODE
Kamugisha Dikens	ACODE
International Organisations	
Marceil Yeater	CITES
Sandra Gagnon	IHEID
NGOs	
Kyasimire Betty	UNFFE
Sassa Ambrose	Environmental Alert
Owiunyi Isaiah	WSC
Ataing Emmanuel	Red- Pepper Ltd
Kaggwa Magret	Natural-Ingredients-and Products
Nakanye Annet	UWS
Private Sector/Traders	
Manirigaba Micheal	Game trailsLtd
Kyabalongo Abdu	Tropical Fauna Ltd
Seate Josephine	Butterfly ltd

It was unfortunate that no document was shared in advance, allowing more focused contributions. The project document was available for each participant the day of the workshop. Some elements of the framework were presented by project team, in the “training” session of the workshop. This session was about half a day and included some group work to identify the stakeholders. But again the framework as such was not distributed. No regulations, or officials documents were available, but some presented orally.

The launch workshop, stakeholder workshop and the training workshop were all combined in one day. This did not allowed proper advances in each of them, except for the launch. Overall, there was great interest from the participants, but limited time to engage on real issues, such as a common identification of problems and issues of the policy that should form the focus of the review.

Steering Committee and Review team

The compositions of the Committee, as well as the Review Team, seam adequate. In term of process and organisation, it can be said that the diffusion of available documentation was not the strong part. For example, the framework was not distributed, only vaguely mentioned during presentations. On the content, the desk review had not been prepared in advance to the first Steering Committee and stakeholder workshop, as it could have been expected (to allow an common identification of the review problematic and focus). However, this is part of the normal flexibility in the context of the project, each country having the whole leadership in terms of review planning and timing.

The fact that ACODE, the review lead, was “integrated”, as a “consultant”, quite late in the process can have brought some delays and organisational issues. Indeed, no representative from ACODE was present at the Geneva training workshop (indented to the review team of each countries) and it’s only after the first stakeholder workshop that they had knowledge of the framework (on which they should based the review). However, the project results shows that most of these difficulties were seams to have been managed.

Conclusions

In spite of the various workshops, meetings, and capacity building efforts the project has done in Uganda, there still exists a general perception among many stakeholders interviewed that many are still not familiar with the wildlife trade legal processes. The information, knowledge of the sector and of the review process did not yet reached the local based stakeholders. They proposed a translation of some of the legal documents in local languages. A nation-wide awareness campaign could also ensure that most have access to these documents.

It was, overall, clear that there are economic opportunities in wildlife trade and that correction of policy mechanisms are required to equitably share the benefits along the wildlife value chain. In that sense, it came out evidently that there is a need for correcting unfavorable value chain in wildlife trade focusing on local communities that have direct impact and that directly use wildlife for their living. This process was perceived as a first step in that direction. Let's see in the coming future what will be the effect of this review. Process.

Leçons apprises du processus de revue de la politique nationale

CITES à Madagascar

Faisant suite à l'étude réalisée en juillet et août 2007, une étude de terrain (du 23 mars au 1er avril 2008) a été entreprise à la fin du processus de revue de la politique nationale pour analyser les impacts de ce processus et les leçons apprises par les différentes parties prenantes de la CITES à Madagascar. Des entretiens avec des personnes rencontrées lors de la première mission (administration, consultants, opérateurs, ONG) ont permis de voir l'évolution de ces personnes face à la politique nationale CITES et les impacts de la revue.

Le processus touchant à peine à sa fin, les changements plus profonds de la politique elle-même ne sont pas encore visibles. Cette étude est terminée, mais ses conséquences apparaîtront dans quelques mois. C'est pourquoi le rapport ci-après fait état des impacts immédiats de ce processus.

Après avoir décrit l'organisation, les méthodologies de la revue, le comité de pilotage, les ateliers nationaux et les suites du processus, nous verrons la perception des protagonistes pour enfin analyser ces différents points et finir par quelques conclusions. Des leçons à tirer de cette étude « cobaye » seront explicitées tout au long du texte.

1. Description

Participation

Le processus est largement organisé et géré par la Direction Générale de l'Environnement, des Eaux et Forêts représenté par Sahondra Rabesihanaka qui, suite aux problèmes rencontrés avec le coordonateur, a assuré les fonctions de coordonatrice. Elle a participé à la formation à Genève puis à la restitution de l'étude un an plus tard ; elle est co-signataire du compte bancaire recevant les fonds internationaux ; elle a organisé les conférences nationales et réuni régulièrement le comité de pilotage ; formé les consultants à la CITES aux objectifs de l'étude de revue de la politique nationale ; été sur le terrain et participé à la rédaction du rapport. Elle est fortement impliquée à toutes les étapes de la revue.

Le département de Biologie Végétale et Autorité scientifique flore, représenté par Bakoly Rakouth, a également un rôle très important. Cette dernière a participé aux ateliers internationaux à Genève. Elle est co-signataire du compte bancaire qui permet d'utiliser les fonds nécessaires à la réalisation du processus. Elle a formé les consultants et aidé à la rédaction du rapport final.

D'autres acteurs ont participé à ce processus, notamment le comité de pilotage et l'équipe nationale de consultant qui seront tous deux décris dans une prochaine partie.

Deux ateliers nationaux (lancement et validation) réunissant tous les protagonistes (administration, agents de contrôle, organe de gestion, autorités scientifiques, secrétariats permanents flore et faune, consultants, opérateurs, collecteurs, secrétariat CITES de Genève…) ont été tenu pour une discussion de fond des problèmes rencontrés et des réflexions sur les possibilités d'amélioration de l'application de la loi CITES. Les documents de travail étaient distribués au début des journées d'atelier (loi, manuel de procédures, cadre de la revue de la politique nationale pour le premier atelier ; rapport de la revue de la politique nationale pour le deuxième atelier).

Le premier atelier a eu lieu le 30 août 2007. Sur les 59 personnes présentes à cet atelier, 22 représentent le Ministère des Eaux et Forêts, 3 d'autres Ministères, 2 douaniers, 6 autorités scientifiques, 8 consultants et le coordonateur du projet, 5 représentent des ONG et 4 des organismes nationaux, 2 opérateurs représentants une même société et 2 collecteurs venant

d'un même village, 2 représentants du Secrétariat CITES et 2 chercheurs de l'IHEID. On note une forte représentation de l'administration, mais peu d'opérateurs et collecteurs.

Le deuxième atelier s'est tenu le 6 mars 2008 en présence de 39 personnes dont 20 étaient présentes au 1er atelier. Il s'agit de :

13 représentants du DGEEFT (dont 2 au contrôle à Ivato), 3 douaniers, 1 gendarme, 1 représentant du Ministère des Affaires Etrangères, 1 représentant du Ministère de la justice, 6 consultants, 6 autorités scientifiques et 3 d'organismes publiques (CNRE, ONESF et SNGF), 2 représentants des ONG (USAID, WCS), 1 chercheur de l'IHEID et 2 représentants du Secrétariat CITES.

Méthodologies de la revue nationale

Deux jours ont été consacré à la formation d'une équipe de consultants (9 personnes de disciplines diverses, à savoir 2 biologistes spécialiste des animaux, 2 biologiste spécialiste des végétaux, 2 juristes, 2 économistes, 1 sociologue (qui a une formation d'économiste) et le coordonateur. Les deux responsables nationaux (Sahondra Rabesihanaka et Bakoly Rakouth) et les chercheurs de l'IHEID ont organisé la formation, avec la participation de quelques membres du comité de pilotage.

Les consultants et la coordonatrice ont réalisé deux études de terrain de 5 jours chacun : un à l'Est (Moramanga et Tamatave) ; l'autre au Sud (Ambositra). Ces sites ont été programmés lors de l'atelier de formation. L'axe Ouest avait été envisagé pour l'étude des crocodiles mais n'a finalement pas été opérationnalisé. La méthodologie suivie a été des enquêtes réalisées auprès des autorités administratives, des opérateurs et des collecteurs.

L'étude sociologique et politique d'une équipe de l'IHEID de Genève a été entreprise, parallèlement au processus. Une étroite collaboration a été établie entre les responsables de la revue nationale et les chercheurs de l'équipe de l'IHEID qui ont été impliqué dans la formation des consultants et le choix du coordonateur (lecture des dossiers et entretiens d'embauche). Nous avons maintenu de fréquents contacts par email pour échanger sur l'avancement du processus.

Comité de pilotage national

La constitution d'un comité de pilotage a été réalisée pour le suivi du processus. Il est composé par les représentants des ONG (Jariala USAID, WCS, CI, WWF, Durell, ONESF), du gouvernement malgache (Ministère des Affaires Etrangères, point focal (Eaux et Forêt), de la Direction de la pêche et des ressources halieutiques) et des autorités scientifiques et chercheurs nationaux (Département de Biologie Animale, Département de Biologie Végétale, Secrétaires Permanents Faune et Flore, le CNRE, SAGE). Certains organismes, comme le CNRE, ont été intégrés à la demande du PNUE. Pour les autres institutions, nous ne savons pas qui a les a recruté.

Pour motiver la participation aux réunions, 20 000 ariary (13 CHF) était donné aux participants pour couvrir les frais de déplacements. Les réunions de ce comité ont eu lieu environ une fois tous les deux mois pour discuter de l'avancement du processus et résoudre les questions délicates. Ce réseau permet la mise en commun des études réalisées, des expériences et compétences de chacun des membres.

Suites du processus

Un rapport national a été produit et remis aux partenaires internationaux le 15 mai pour traduction par le Secrétariat CITES. Il est également disponible au Département des Eaux et Forêts à Madagascar. Le rapport étant jugé trop long pour être lu par les décideurs politiques, un résumé de quelques pages retraçant les principaux résultats des études va être présenté au Ministre de l'Environnement, des Eaux et Forêts et du Tourisme ainsi qu'à son équipe par les responsables nationaux. Cette opération a pour but de provoquer des réactions à la revue de la politique au niveau du gouvernement.

2. Perception des parties prenantes

Participation

Les consultants sont satisfaits de cette collaboration qui leur a beaucoup appris. Deux d'entre eux avaient déjà travaillé sur la CITES (biologie animale et biologie végétale), et ont fait bénéficier la revue de la politique nationale de leurs travaux et analyses précédentes. Le processus de revue de la politique nationale a ainsi permis une synthèse des travaux antérieurs que l'on peut désormais consulter dans le rapport final de l'équipe malgache. C'est un point très important pour la comparaison des filières d'animaux et de végétaux et pour avoir une vue d'ensemble des connaissances sur le sujet.

Cet exemple pourrait être suivi par les Secrétaires Permanents faune et flore par la publication sur Internet des rapports des études de filière réalisées par des étudiants de l'Université d'Antanananrivo. En effet, de nombreuses études de filières sur des animaux et végétaux commercialisées ne sont accessibles que dans la bibliothèque de l'Université, et ne sont de fait pas consultées.

Les opérateurs regrettent de ne pas avoir été impliqués dans ces ateliers. Ils ne perçoivent pas de changement du au processus. Il est bien sûr encore tôt pour avoir une réaction politique après ce processus. Leur absence est notée et regrettée par les membres du comité de pilotage et par l'équipe nationale de consultants.

Les ateliers ont été réalisés en présence des techniciens et non des décideurs. Les impacts de cette révision de la politique nationale dépendent maintenant de la volonté politique des décideurs, c'est ce qu'ont expliqué les représentants des différents ministères lors de l'atelier de validation, et des divers entretiens passés à la suite de l'atelier.

Méthodologies de la revue nationale

L'équipe a commencé par réaliser un questionnaire sous la direction du premier coordonateur, qui une fois les réponses obtenues ne savaient pas quoi en faire. La perception du reste de l'équipe est ainsi qu'ils ont perdu beaucoup de temps avec ce coordonateur qui n'avait pas bien intégrer les objectifs de cette étude. Ils ont par la suite rattrapé le temps perdu.

Les enquêtes effectuées par cette équipe ont permis une prise de conscience des enquêtés de la problématique de l'application de la CITES. Les réflexions sur ce point sont très importantes et ont apporté au moins au niveau individuel une connaissance des enjeux concernant le commerce de faune et de flore. La coordinatrice nous raconte son entretien avec un agent des Eaux et Forêts : « Mais le problème de bois est le problème majeur. A Moramanga, la CIREEF [Circonscription Régionale de l'Environnement, des Eaux et Forêts], ils prennent des camions entiers de bois et de charbon. Parce que le problème est trop grand avec le bois et le charbon donc ils ne voient pas de problème avec les animaux. Je leur ai dit : « ce n'est pas qu'il n'y a pas de problème mais vous n'y faites pas attention ! » »

Comité de pilotage national

Les membres du comité de pilotage ne se sont pas investis de la même manière dans le processus. Cette différence est peut-être le reflet de l'absence de nombre d'entre eux au deuxième atelier.

Ils ont de fait une perception et une implication fort diverses.

Suites du processus

Le comité de pilotage appuie actuellement l'équipe de la revue pour assurer le suivi et la continuité du processus. Les membres de ce comité présents au deuxième atelier se sentent responsables du suivi du projet. Ils leur semblent que la partie la plus importante de l'étude est encore à faire. Il s'agit de son transfert aux autorités, son acceptation et une réponse adaptée aux recommandations apportées.

Ils pensent que les suites du processus sont encore incertaines et dépendent de nombreux facteurs.

3. Analyse de la gouvernance

Participation

Le processus est relativement centralisé et géré par quelques personnes. La participation de l'administration est surtout notée dans les ateliers, tandis que les autres corps de métiers (ONG, opérateurs, collecteurs) sont peu voir pas présents.

Aucun opérateur ni collecteur n'est venu à l'atelier de validation (un seul opérateur et deux collecteurs étaient présents à l'atelier de lancement). La participation des principaux concernés par la politique CITES aurait été utile pour une légitimation et appropriation du processus par tous les protagonistes. Une meilleure communication aurait peut-être pu éviter ces absences (puisque convoqués le lendemain par Juan Carlos Vasquez du Secretariat de la CITES, 5 opérateurs se sont déplacés).

Les deux collecteurs présents à l'atelier de lancement n'ont pas pris la parole durant cette journée. Ne parlant pas français, il leur était difficile de suivre les débats. Leur avis n'a pas été requis, les débats tournant beaucoup autour des problèmes et difficultés rencontrés par l'administration pour l'application de la loi CITES.

On note également que les organismes invités n'envoient pas les mêmes personnes aux deux ateliers. La profondeur des débats a pu en être affectée.

Cependant, ces ateliers ont contribué au dialogue entre les professions : des débats intéressants ont eu lieu entre les Autorités Scientifiques et l'Organe de Gestion, montrant les divergences d'intérêts et de points de vue.

Méthodologies de la revue nationale

Ces études ont été uniquement basées sur des entretiens. Hors aucun sociologue ou personne connaissant les techniques d'entretiens n'était présent dans l'équipe de consultants. Les résultats sont peut-être relativement superficiels pour cette raison. Les objectifs de l'étude étaient vastes et difficiles à réaliser en un laps de temps et financement réduits. Une réflexion profonde sur la méthodologie devrait permettre d'améliorer l'organisation et la réalisation de ces études.

Suite à des retards dans le déboursement des fonds, les études de terrain des consultants ont été entreprises après l'atelier de validation, les résultats n'ont donc pas pu être discutés. Ce point est regrettable car ces résultats auraient apporté un éclairage pertinent lors des débats au cours de l'atelier.

Enfin, les études des consultants ont été ralenties à cause du premier coordonateur qui n'a pas su avancer efficacement et n'avait pas intégré les objectifs de l'étude. De même, l'assistant de recherche de l'IHEID n'a pas respecté le contrat et délais pour cette étude. Ces points permettent de soulever l'importance du recrutement qui est une phase délicate et nécessite toute l'attention des organisateurs.

Malgré ces inconvénients, le travail de terrain a confronté les consultants à des problèmes concrets de l'application d'une loi. En plus de la formation suivie, ce terrain les a sensibilisés à de « nouveaux horizons », pour reprendre l'expression de l'un d'entre eux interrogé à ce sujet.

Suites du processus

Plusieurs problèmes sont venus interférer avec le bon déroulement du processus. Ils sont indépendants du processus et de l'équipe mais sont venus compliquer leur tâche.

Les retards de déboursement de fond ont déjà été signalés dans la partie précédente. Ils ont compliqué l'organisation de l'atelier de validation et retardé le départ des consultants sur le terrain.

L'instabilité des postes politiques remet en question les suites de cette révision de la politique nationale, les responsables n'étant pas les mêmes qu'au début du processus.

Le changement de point focal au cours du processus freine la transmission des résultats vers les décideurs (l'ancien point focal étant coordonatrice du processus). Ne faisant plus partie de l'administration, il lui était difficile de faire part de l'avancée du processus à ses supérieurs. Lors de la dernière réunion « team building » au département de l'Environnement, des Eaux et Forêts (réunion de deux jours fin mars, pour parler de l'avancement des projets et des mesures à suivre), aucune mention n'a été faite concernant la revue de la politique nationale CITES.

À noter que la mise en place d'une mesure gouvernementale est en cours de réalisation : le mécanisme de distribution de quota va être modifié. Un appel d'offre est paru dans les journaux, dans le but de professionnaliser la filière de commerce d'animaux et de végétaux. Le lien avec le processus de la revue CITES n'est pas évident. Cet élément n'a pas été intégré dans les ateliers, la coordinatrice du processus, ancien point focal, ayant des relations assez limitées depuis le mois d'octobre avec les services gouvernementaux. N'ayant pas de relais au sein du gouvernement, le processus aura peut-être peu d'impact sur la politique nationale. Ce n'est pas pour autant que la politique n'est pas réfléchie par le gouvernement malgache, comme le montre la récente initiative d'appel d'offre.

Les suites de ce processus sont attendus tant au niveau international que national. La solution de rédiger une note de quelques pages à l'attention du ministre semble pertinente, l'information scientifique étant un facteur clé dans les prises de décision politique. Cette revue aura peut-être des conséquences politiques.

Conclusion

Plusieurs leçons peuvent être tirées de ce processus. Tout d'abord, la difficulté de communication entre les différents protagonistes est flagrante puisque les opérateurs, intermédiaires et collecteurs n'étaient pas ou peu présents aux ateliers. Leur participation est pourtant primordiale pour la légitimation de mesures législatives. Ce sont les premiers intéressés par cette politique, et leur point de vue aurait sans doute éclairé les débats.

On note la difficulté d'intéresser les décideurs et l'importance d'impliquer des représentants du gouvernement de manière concrète pour qu'ils s'approprient le processus et le fassent aboutir.

De ce point découle une recommandation : le recrutement est une phase cruciale du processus et mérite toute l'attention des responsables. Le coordonateur doit avoir un rôle clé dans l'administration pour avoir une légitimité et une facilité de contacter les hauts responsables. La suite de la revue dépendant de ces derniers, il paraît pertinent de les impliquer dès le début pour que le suivi leur paraisse plus évident.

En conclusion, on ne peut pas parler de processus participatif pour qualifier cette revue de la politique nationale CITES. Toujours est-il qu'elle aura apporté de nombreux points positifs au niveau individuel et qu'au niveau national, elle constitue une base sur laquelle des actions peuvent être réfléchies et entreprises.

<u>Liste des Acronymes</u>

AS	Autorités Scientifiques
CI	Conservation International
CIREEF	Circonscription Régionale de l'Environnement, des Eaux et Forêts
CNRE	Centre National de Recherche sur l'Environnement

DIREEF Direction Régionale de l'Environnement, des Eaux et Forêts

DGEEF Direction Générale de l'Environnement, des Eaux et Forêts

IHEID Institut Universitaire d'Etudes du Développement

ONESF Organisation Nationale du Secteur Forestier

MAE Ministère des Affaires Etrangères

MINENVEF Ministère de l'Environnement, des Eaux et Forêts

SAGE Service d'Appui à la Gestion de l'Environnement

SNGF Service Nationale de Gestion Forestière

SP Secrétaire Permanent

USAID United States Agency for International Development

WCS Wildlife Conservation Society

Tableau des participants à l'atelier de lancement du 30 août 2007

Nom	Organisme
Rakouth Mialisoa	Consultant (juriste)
Raoelison Hery	Consultant
Rakotondrazafy Andry Malalan'Ny Aina	Consultant (biologiste. animal)
Rabesoa Andriamasimanana Henri Radosoa	Consultant (Economiste)
Rakotonirina Heriniaina Jean Edouard	Coordonateur
Andriamitatsoa Tsiferamiaro	Consultant (Biologiste Végétal)
Raveloarison Tanteliniaina	Consultant (Economiste)
Rarivojaona Joelinirina	Consultant (Juriste)
Ravaoarimalala Attala	Consultant (Juriste)
Bidaud Cécile	IHEID
Randria Solofonantenaina Mika	IHEID
Lippai Christine	UICN G.S.Crocodiles
Leo Niskanen	Durell Wildlife Conservation Trust
Andriamboavonjy Evah	Jariala USAID
Randriamahazo Herilala	WCS
Ramahaleo Tiana	WWF
Harison Randrianasolo	CI
Juan Carlos Vasquez	Secrétariat CITES
Razafimamonjy Daniel	CNRE
Andriamaha	SNGF
Andriatahina Mamantosa	ONESF
Rabotovao Mamisoa	ONESF
Ranjanaharisoa Fiadanantsoa	SP faune
Ramarosandrafana A.V.	AS flore
Rasamy Jeanne	AS faune
Rakotondravony Daniel	AS faune
Rakouth Bakolimalala	AS flore
Ravoamamalina Harisoa	SP flore
Randrianirina Francis	Collecteur
Randrianirina Olivier	Collecteur
Bessageuet Daniel	Opérateur (REPTEL)
Fouillette Arnaud	Opérateur (REPTEL)
Randriamamonjy H.	Douane
Rakototany Eric Victor	Douane

Andrianasolonianahery Jean Emile	Ministère de la Justice
Rabemananjara Harifera	MAE
Rajanaseta	Ministère du commerce
Ledimy Jean Joachim	MINENVEF
Rasolonirina Victor	CIREEF Anosy
Tidahy Lalasoa Edmée	CIREEF Analamanga
Rakotoarimanana Alain	CIREEF Antsirabe
Rasolonirina Ramenason	CIREEF Ambatondrazaka
Via Sabine Marie Dorothée	CIREEF Antalaha
Ralaivao Jean Pierre CLaude	DIREEF Mahajanga
Rakotonirina Victor Solo	DIREEF
Razafindrahanta Hanitriniaina	DIREEF Toamasina
Rakotoarivony Vivette	DGEEF (PCI Ivato)
Ramananarivo Falihery	DGEEF (PCI Ivato)
Raharimaniraka Lydie	DGEEF
Felicien Randriamantenaina	DGEEF
Rakotondranony Laurent Guy	DGEEF (Organe de Gestion)
Rabesihanaka Sahondra	DGEEF
Randahy Voninjatovo	DGEEF
Ravololonirina Saholy	DGEEF
Leap Robert Livaniaina	DGEEF
Rakotoarisoa Dezy	DGEEF
Biarmann Marcellin	DGEEF
Rabearivelo Lovasina	DGEEF
Rabeovy Orly	DGEEF

Tableau des participants à l'atelier de validation le 6 mars 2008

Nom	Organisme	Présent au 1er atelier
Ramasiarisoa Pierrette Laurence	CNRE	
Rasolofonirina Harimampianirina	ONESF	
Ramamonjisoa Lolna	SNGF	
Andriamboavonjy Evah	Jariala USAID	Oui
Randriamahazo Herilala	WCS	Oui
Christine Lippai	CITES	Oui
Juan Carlos Vasquez	CITES	Oui
Raveloarison Tanteliniaina	Consultante	Oui
Andriamitatsoa Tsiferamiaro	Consultante	Oui
Ravaorimalala Attala	Consultante	Oui
Rarivojaona Joelinirina	Consultant	Oui
Rakotondrazafy Andry Nalalan'Ny Aina	Consultant	Oui
Rakouth Mialisoa	Consultante	Oui
Randria Solofonantenaina Mika	IHEID	Oui
Rabakonandrianina	AS flore	
Ramahefaharivelo Ando	AS flore	
Rakouth Bakolimalala	AS flore	Oui
Razafimahatratra Emilienne	AS faune	
Rakotondravony Daniel	AS faune	Oui
Raharivololoniaina liliane	SP Faune	
Raobelina Rakotoanosy Velotiana	MAE	
Andrianasolonyanahavy Jean Emile	Ministère de la Justice	Oui
Ratsimandiso Edmé	DIREEF	
Randrianampianina Vololona	DREEF Analamanga	

Mamy Andriananivelo	DGEEF	
Randrianizahana Harinrina	DGEEF	
Andriatsalama Voalirana	DGEEF	
Emilie Voahanji	DGEEF	
Rabesihanaka Sahondra	DGEEF	Oui
Rakotoarisoa Dezy	DGEEF	Oui
Ravololonirina Saholy	DGEEF	Oui
Randrahy Voninjatovo	DGEEF	Oui
Leap Robert Livaniaina	DGEEF	Oui
Ramananrivo Faly	DGEEF (PCI Ivato)	Oui
?	DGEEF (PCI Ivato)	
Colonel Tolimasy	Gendarmerie Nationale	
Rakotomalala Emma	Douanes	
Ralaisa Menine	Douanes	
Soja Randriamanantena	Douanes	

Reporte de Lecciones aprendidas

Nicaragua

El presente reporte contiene las lecciones aprendidas como resultado del Proceso de Revisión de la Política de Comercio de Vida Silvestre realizado en Nicaragua en el período comprendido de Mayo del 2007 - Abril del 2008

1. Contexto Nacional

Nicaragua en las últimas décadas, ha firmado y ratificado una serie de acuerdos ambientales relativos a la conservación, protección y manejo de la flora y fauna. Entre estos figura la "Convención sobre el Comercio Internacional de Especies Amenazadas de Fauna y Flora Silvestre" (CITES) ratificada en el año de 1977 por la Asamblea Legislativa.

A partir de la entrada en vigor del Convenio en el mismo año de su ratificación, se han ido creando las condiciones administrativas, técnicas y legales para su implementación a nivel nacional. En el proceso de evolución de la aplicación de la CITES, estas medidas en su mayoría han sido orientadas al establecimiento de normas técnicas para el manejo de los sistemas de producción, la regulación y normación del comercio de especies de flora y fauna incluidas en sus apéndices y al establecimiento de mecanismos de coordinación entre los diversos actores involucrados

En la actualidad, la entidad del Gobierno responsable de aplicar la CITES a nivel nacional es el Ministerio del Ambiente y los Recursos Naturales (MARENA).; el cual a través de la Dirección de Biodiversidad ejerce la titularidad de Autoridad Administrativa. El rol de Autoridad Científica le corresponde a un grupo de Universidades e investigadores independientes que en su quehacer trabajan los temas que tienen ver con la investigación y el monitoreo de la Biodiversidad

Las especies comercializadas por Nicaragua en su mayoría están incluidas en los Apéndices II y III de la CITES. En los últimos diez años, el comercio ha sido diverso en cuanto a grupos de especies y volúmenes de exportación. Según estadísticas de la oficina CITES NI, los rubros más comercializados en un primer momento después de la ratificación, correspondieron a especies de fauna viva extraída del medio natural y criadas en cautividad. Por los altos volúmenes anuales de exportación se situó al país como el "proveedor de especies mas importante de Centroamérica" para los mercados de Estados Unidos y Europa principalmente. Psitácidos (loros y chocoyos), anfibios (ranas), reptiles (boas e iguanas) eran tan solo uno de esos grupos

En el caso de la flora las especies maderables como la Swietenia macrophyla (Caoba) y la Cedrela odorata (Cedro real) eran las mayormente exportadas, ambas consideradas maderas de lujo y con un alto valor comercial en el mercado Europeo y Norteamericano. Su forma de exportación como madera aserrada o timber en la actualidad, requiere de una regulación estricta a partir de su inclusión en el apéndice II.

A lo largo de la evolución de la CITES en nuestro el país, se han establecidos una serie de moratorias que han suspendido el aprovechamiento y la exportación de las maderas preciosas. Desde el año 2006 el comercio de caoba y cedro solo se permite bajo ciertos criterios y en segunda transformación, los cuales están establecidos en un instrumento regulatorio emitido por el MARENA

En el marco de la CITES, el MARENA a través de su oficina CITES NI, ha establecido medidas administrativas y técnicas para el cumplimiento de sus disposiciones; asimismo, las acciones necesarias para controlar el comercio legal y sancionar el tráfico de especies. A pesar de los esfuerzos realizados desde su ratificación existen una serie de limitantes como, los problemas de tráfico de especies, la coordinación efectiva, la débil aplicación de la ley, el detrimento de las poblaciones naturales por diversos actores tanto naturales como antropogénicos, las exigencias de los mercados internacionales que deberían considerarse en el análisis y valoración para establecer medidas y acciones que mejoren esta situación

Nicaragua como país Parte de la CITES, aplicó al concurso para su inclusión en el proyecto CITES-UNEP-UNCTAD-IHEID proyecto Wildlife Trade Policy Reviews "Enhancing Nacional

Capacities to Assess Wildlife trade Policy in Support of the Coonvention on Internacional Trade in Endangered Species of Wild Fauna and Flora" siendo seleccionado por el Comité Directivo del mismo, después de haber cumplido con los criterios establecidos para tal fin, desarrollándose posteriormente un intenso trabajo a nivel nacional el cual tuvo el involucramiento de un sin número de actores en un período de 12 meses calendarios aproximadamente. Uno de los propósitos de este proyecto era apoyar a las partes en la elaboración de sus exámenes de revisión de las políticas comerciales en función de mejorar la aplicación de la convención.

2. Descripción (actividades, organización y actores)

Actores involucrados en el proceso

Los grupos de interés involucrados en el proceso juegan un rol importante en la diversas actividades en la implementación de la CITES. Sus aportes, observaciones, comentarios y percepciones darían la pauta para entender los procesos que estos realizan Asimismo facilitarían el conocimiento sobre sus propias actividades de acuerdo a sus competencias institucionales y su percepción sobre el proceso de elaboración del estudio

Integran este grupo el Sector gubernamental – institucional, exportadores o usuarios de la CITES NI, Gobiernos Regionales – RAAS-RAAN, Investigadores e Universidades

Sector institucional- Gubernamental

El rol que desempeñan es la aplicación de las medidas establecidas por la Autoridad Administrativa CITES para la regulación y control del comercio de las especies incluidas en apéndices de la CITES.

Instituciones como el Ejercito de Nicaragua, Policía Nacional, Ministerio de Agricultura y Ganadería, Centro de Exportaciones (CETREX), Delegaciones territoriales del MARENA y Dirección General de Aduanas fueron los mas representativos en este proceso. Sus funciones o roles están definidas en el marco normativo nacional. Sus actividades consisten en realizar inspecciones de embarques, control sanitario de especies, elaboración de normas para el control y coordinación de actividades operativas para la vigilancia y contrarrestar el tráfico de especies en los puertos de entrada y salida de embarques CITES tanto terrestre, aéreo y marítimo

Usuarios y Exportadores

Corresponden a exportadores de fauna silvestre, dueños de zoocriaderos, procesadores y exportadores de Strombus gigas[32] y artesanos elaboradores de productos con especies CITES[33]. Son considerados los usuarios más activos de la oficina CITES-NI. Sus actividades están vinculadas directamente a los servicios presta esta dependencia (solicitud de permisos, licencias y autorizaciones para embarques). Su responsabilidad como usuarios es el cumplimiento de las normas establecidas para las actividades que realizan

Autoridades de los Gobiernos locales o Regionales

Desde hace algunos años existe un proceso de descentralización de funciones del Gobierno Central hacia los Gobiernos Municipales y Regionales. En el caso de la RAAS y RAAN éstas tienen un proceso de autonomía regional el cual se viene fortaleciendo. Su participación fue de suma importancia para la consecución de las acciones o procesos posteriores que resulten de este ejercicio

Los Gobiernos Regionales estuvieron representados por las Secretarías de Medio Ambiente y Recursos Naturales RAAN-RAAS. Estas Secretarías se encargan de coordinar con MARENA la autorización de permisos de uso sobre sus recursos y del seguimiento de las actividades que se desarrollen en sus territorios. Aunque estos procesos son aún incipientes, se están estableciendo los mecanismos de coordinación necesarios con las instituciones del Gobierno Central para avanzar en esa dirección

Instituciones de investigación y académicas

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[32] Especie incluida en el apéndice II de la CITES.

[33] Se refiere a carteras, bolsos, billeteras, zapatos entre otros

En Nicaragua la Autoridad Científica esta representada por un grupo de Universidades e investigadores independientes. En este proceso, diversas Universidades estuvieron participando en actividades específicas como los talleres nacionales, por citar una de ellas. La Universidad Nacional de Nicaragua UNAN- Managua, la Universidad Centroamericana UCA, las Universidad de las Regiones Autónomas del Caribe Nicaragüense URACAN, investigadores independientes, asociación GAIGA son algunas de las participantes

Este sector se caracteriza por ser entidades académicas y profesionales que han colaborado con el MARENA en cuestiones relacionadas a la realización de estudios, elaboración de normas, aportando datos y dando recomendaciones sobre las especies sujetas a comercio

Revisión de la política/ proceso metodológico

En Abril del año 2007, se realizó el primer taller nacional del lanzamiento del proyecto. En el evento se contó con la participación de los principales actores nacionales que de acuerdo a la actividad comercial que realizan y su rol institucional están directamente vinculados a la aplicación del convenio CITES. Los socios internacionales (IHEID y Secretaría CITES-Ginebra), la autoridad nacional del ambiente MARENA y la Universidad Centroamericana UCA (equipo de revisión) fueron parte importante en este primer encuentro

Entre Mayo del 2007 y Marzo del 2008 se realizaron las actividades de campo tanto del equipo nacional seleccionado para realizar el examen de revisión de la política "Equipo UCA" y el IHEID que se encargó del estudio de las dinámicas sociales. En lo que respecta al estudio de dinámicas sociales se realizaron un total de 41 entrevistas, abarcando la región del pacifico y atlántico de Nicaragua. Los actores involucrados en esta fase de colección de datos corresponden a: exportadores de fauna y flora (madereros), acopiadores, cazadores, investigadores, comerciantes locales de productos elaborados de caoba y caimán, investigadores independientes, personal de proyectos que tiene que ver con el aprovechamiento y manejo de la madera, operarios de aserraderos en el atlántico Nicaragüense, grupo indígena, organizaciones que trabajan el tema de la biodiversidad y recursos naturales nacionales e internacionales y las distintas instituciones de gobierno que colaboran en la aplicación de CITES. Lo anterior se realizó en los meses de Junio – Agosto del 2007. Las herramientas utilizadas para la colección de datos fueron encuestas y entrevistas, recopilación de información primaria entre otras.

En esta fase no se logró una planificación conjunta de las actividades entre el equipo nacional y el IHEID, los acuerdos para los desembolsos y los aspectos administrativos retrasaron el inicio del proceso nacional

El Segundo taller nacional para presentar los resultados del Examen de Política, fue realizado en Managua, Nicaragua el 31 de Marzo del 2008 con los grupos de interés, después de que el grupo de revisión nacional UCA y el IHEID concluyera la colección de datos para el ordenamiento y análisis de la información de sus respectivos estudios

Los actores participantes en el evento emitieron sus opiniones y sugerencias sobre los resultados presentados, quedando en ese momento una labor intensiva del equipo nacional para el ajuste y revisión del documento para generar una nueva versión que incluyera los nuevos aportes

En Abril del 2008, se realizó en Ginebra, Suiza la presentación de los resultados de los estudios realizados por ambos equipos de trabajo - UCA y el IHEID- en el cual estuvieron presentes los socios principales de esta iniciativa: PNUMA, FFI, la Secretaría CITES, los representantes de las autoridades administrativas y de los grupos de revisión nacional de los otros tres países participantes en este proyecto, Vietnam, Uganda y Madagascar

Comité de Coordinación Nacional

Al inicio proceso (Mayo del 2007) se conformó el Comité Directivo Nacional. De cuerdo a información colectada se integró por dos representantes del MARENA, el coordinador del grupo de revisión de la UCA y un representante de la Autoridad Científica. Su función básicamente se proyectaba como un comité articulador y consultivo. Para su funcionamiento se determinó la realización de reuniones periódicas como el mecanismo más adecuado para evaluar y dar seguimiento al proceso

Grupo de Revisión Nacional

La Universidad Centroamericana UCA fue la institución académica encargada de elaborar el "Estudio de Revisión Nacional de la política de Comercio de Vida Silvestre" para Nicaragua. El MARENA adjudicó a la Universidad el proyecto. El equipo estuvo integrado por tres profesionales de las ciencias ambientales y un coordinador, responsable de garantizar la elaboración del estudio y la conducción del proceso. En la fase intermedia del proceso, se integró como asesor externo, un experto en políticas quien tenía el rol de revisar las versiones de los documentos y ofrecer recomendaciones para su mejoramiento

Productos y Seguimiento

Uno de los resultados del proceso de "Examen de Revisión" fue el documento denominado "Estudio de Revisión de la Política de Vida Silvestre en Nicaragua, elaborado por el equipo nacional de la Universidad Centroamericana UCA.

Después de la presentación del Documento borrador en el segundo taller nacional de Marzo del 2008 y en Ginebra; la Autoridad Administrativa CITES y el coordinador del grupo nacional conformaron un equipo de trabajo para la revisión y complementación de dicho documento tomando como base para esto, las recomendaciones del grupo trabajo reunido en Ginebra - Suiza

El documento fue puesto a la disposición del grupo colaborador nacional integrado por profesionales con experiencia en la aplicación y conocimiento sobre la temática, los cuales ofrecieron aún mayores aportes al documento, el cual fue mejorado significativamente.

3. Percepción de los grupos de interés

Actores involucrados

La percepción de los grupos participantes con respecto al proceso de revisión de la política y los resultados presentados en el taller nacional, es casi homogénea. En general emitieron sus opiniones de manera positiva; ya que consideran un logro que se escuchen sus puntos de vistas para la realización de instrumentos de política de CITES o cualquier ejercicio que se desarrolle sobre el tema del comercio de especies. La intención de elaborar una política de vida silvestre en Nicaragua a mediano plazo lo consideran fundamental, ya que actualmente no existe a su entender, una política que oriente de forma coherente y clara ¿Cuál son las directrices establecidas por la institución o el Gobierno para el comercio y aprovechamiento de la flora y fauna silvestre en nuestro país en el corto y mediano plazo? Sin embargo, un sector significativo de actores participantes, manifiestan que tienen sus reservas en cuanto a que el tema de la política o la implementación de la recomendaciones resultantes de este proceso sea una prioridad en estos momentos, debido a los constantes cambios estructurales en las instituciones

Los exportadores de fauna y productos elaborados de especies, manifestaron su aceptación a la iniciativa. La participación de otros socios internacionales les causa motivación considerando que el tema de elaborar o complementar medidas para una política de comercio de vida silvestre podría ser un tema prioritario para el Gobierno

Manifiestan que en los últimos años las disposiciones emitidas por el gobierno relacionadas con el comercio de especies, han sido motivadas más por coyunturas políticas, que por factores estratégicos relativos a la conservación, el mejoramiento del sistema o en el último de los casos oportunidades de mercado; haciendo referencia a las moratorias establecidas para la Swietenia macrophylla Caoba que fueron dictadas sin haber realizado una valoración técnica que respaldara esa decisión o una evaluación a priori sobre el impacto económico que ocasionaría esa medida a los diferentes actores de la cadena de valor

Por otra parte, los actores institucionales consideran que el proceso está permitiendo un espacio de oportunidades para fortalecer la coordinación entre las instituciones, mejorar sus conocimientos y su compresión sobre todo lo que implica la CITES y el comercio, en función de ser mas eficientes en su capacidad de respuesta. Esperan que las recomendaciones sean retomadas y que los recursos estén disponibles. Sugieren que se deben orientar esfuerzos hacia el ordenamiento del marco legal, corregir los traslapes institucionales, definir procedimientos expeditos y menos burocráticos para facilitar el comercio de especies

Los investigadores independientes e instituciones académicas consideran de suma importancia ser convocados a participar en los proceso de formulación de instrumentos de política y estrategias en términos de consultas antes y durante su elaboración, mas aún cuando se trate de instrumentos que tienen que sustentarse en el conocimiento de la ciencias biológicas y ambientales

Es fundamental para este grupo, que las decisiones institucionales sean respaldadas por el conocimiento que es generado a lo largo del tiempo por las instituciones académicas y los investigadores independientes

Los representantes de los gobiernos regionales, manifiestan que la legitimidad de este proceso es la consulta y la participación de las comunidades locales e indígenas y la sociedad civil en sus diversas expresiones de organización. Manifiestan que en las acciones posteriores que se deriven de este proceso, como por ejemplo la elaboración de la política o revisión de otros instrumentos relacionados al tema se realice con la participación activa de los actores locales y las comunidades indígenas que son los dueños de los recursos

Revisión de la política /Proceso metodológico

La conducción del proceso de elaboración del examen de política estuvo a cargo del grupo de investigación nacional de la UCA. La convocatoria a talleres, la preparación de los programas de agenda a desarrollar fue también su responsabilidad. Los aspectos formales de firma de acuerdos entre las institución nacional e internacional fue bastante lenta, retrasando el inicio del proceso, teniendo que realizar una reprogramación de las diferentes actividades

Al inicio del proceso fue notorio entre los actores participantes en el proceso, la falta de entendimiento o compresión de lo que implicaba “el examen de la política comercial “y de los resultados que se generarían al final del proceso. Esto se constató, en los discursos de los participantes en los talleres realizados y las entrevistas de campo efectuadas

Equipo de revisión Nacional

El equipo de revisión nacional [34]desde su experiencia en este proceso, consideran que fue complejo. Por ser una de las primeras experiencias existieron algunas dificultades en el entendimiento de los aspectos conceptuales del documento a utilizar como guía para el examen. La complejidad de la información solicitada en el documento para la evaluación de temas puntuales, en muchas ocasiones, no estaba disponible en los formatos indicados o no estaba actualizada o sistematizada

Consideran que la comunicación con el grupo de investigación a cargo del estudio de dinámicas sociales fue poco luida, no se logro establecer una planificación conjunta de las actividades de campo que fuesen comunes para ambos estudios. Uno de los factores que incidió en este punto, fue el desfase ocurrido por los arreglos institucionales que obligo al equipo a reprogramar las actividades de campo

Perciben que el proceso es una experiencia enriquecedora que permitió poder evaluar la efectividad de la aplicación de la CITES en Nicaragua desde su ratificación, tener una retroalimentación entre los actores, usuarios y las autoridad nacional de aplicación para identificar las cuestiones que merecen ser re orientadas en función de establecer el camino más idóneo de forma concertada

Productos y Seguimiento

En general, se considera que el proceso en si mismo representa una oportunidad para mejorar la aplicación del Convenio en Nicaragua, abrir nuevos espacios de participación a otros actores a diferentes niveles, siempre y cuando exista voluntad de parte de los tomadores de decisiones en implementar las recomendaciones contenidas en el estudio y se dispongan de los recursos económicos necesarios para respaldarlas

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[34] De acuerdo a entrevista realizada al coordinador del equipo UCA

4. Análisis de Gobernanza

Actores involucrados

El grupo institucional fue el mas involucrado en el proceso de revisión del examen de la política comercial, por ser instituciones que han venido colaborando desde hace algún tiempo con la oficina CITES –NI y tienen más claro su rol en el tema. Sin embargo, en su gran mayoría, su participación estuvo sesgada a funcionarios del nivel central

Los exportadores de fauna, productos elaborados, madera y carne de caracol que participaron en todo el proceso demostraron interés en colaborar en las actividades que fuesen requeridas. Los resultados de este examen o más bien de las recomendaciones que se emitan y de la voluntad y compromiso que muestren las autoridades, depende en gran medida la proyección de la actividad comercial que desarrollan. Su interés fue expresado en su presencia en los talleres nacionales y en la facilitación de entrevistas en la fase de colección de datos. Los exportadores de maderas y caracol reina tuvieron muy poca representación en el proceso

En el caso de los Gobiernos Regionales Autónomo, sus representantes[35] jugaron un papel activo en las actividades que tenían presencia. Sus planteamientos se orientaron a "que se consideraran sus intereses y sus opiniones en las recomendaciones del examen". Para ellos es importante participar en la elaboración de instrumentos de política relativas a la biodiversidad y los recursos naturales, ya que un buen porcentaje de estos recursos se encuentra distribuidos en sus territorios (caoba, loros, cocodrilos, caracol reina entre otros)

El resto de los grupos participantes como los investigadores, universidades y otros tuvieron una participación menos representativa en las primeras etapas del proceso, sin embargo al final brindaron sus aportes y recomendaciones

Conclusiones y Lecciones aprendidas

Conclusiones

En la aplicación de la CITES las decisiones deben estar respaldadas por la ciencia. El conocimiento sobre el estado de las poblaciones es fundamental para la sostenibilidad de las especies y de su comercio

A través del desarrollo de las actividades implementadas en el proceso, se evidencia que la comunicación con los actores de los gobiernos regionales y locales es aún incipiente. Es necesario establecer los mecanismos para mejorar la coordinación y facilitar la información, ya que en los procesos de descentralización en marcha, se visualizan a los Gobiernos locales y regionales como los actores potenciales que van ha contribuir significativamente en la implementación de la CITES

La participación y el interés de colaboración expresado por las instituciones académicas, de investigación y ONG , presentan una oportunidad para establecer alianzas estratégicas para el fortalecimiento y mejoramiento de la toma de decisiones referente al establecimiento de cuotas de aprovechamiento, normativas y directrices técnicas para el aprovechamiento de especies CITES

Los procesos de consultas de este tipo de procesos deben ser extensivos e intensivos a todos los niveles para lograr incluir los intereses de los actores involucrados en toda la cadena de valor

La participación en el proceso de cazadores, acopiadores de fauna y flora silvestre, comunidades indígenas o grupos locales que emprenden acciones de manejo de recursos en sus áreas de distribución; de asociaciones comunitarias que trabajan en las zonas con mayor biodiversidad, delegados de las instituciones de gobierno que aplican las normas y dan seguimiento en territorios claves considerados puntos de trafico y de extracción de especies fue bajo

Lecciones aprendidas

Revisión de políticas/proceso metodológico

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[35] Responsables de las Secretarias de Medio Ambiente de la dos Regiones RAAS y RAAN

El examen de revisión de la política comercial de vida silvestre, presentó una oportunidad para mejorar el dialogo entre los diferentes actores, reorientar las prioridades y evaluar la efectividad de las medidas implementadas en el proceso de evolución de la CITES en Nicaragua

La metodología aplicar en estos estudios debe ser clara en términos conceptuales y flexible para poder ser ajustadas de acuerdo a las realidades y particularidades de cada país

Los vacíos de información que puedan existir y su disponibilidad son factores determinantes que influyen en la dinámica del proceso. Si no se cuenta con la información adecuada difícilmente se logren realizar las evaluaciones temáticas necesarias en los tiempos establecidos, razón por la cual es necesario considerar al momento de la planificación estos aspectos

El documento de trabajo elaborado para el examen de revisión de la política, debe ser una herramienta que guíe o facilite los procesos posteriores. Los aspectos conceptuales deben ser debidamente clarificados

La comunicación entre los socios nacionales e internacionales debe ser fluida y constate para lograr una planificación consensuada en las actividades comunes y evitar duplicidad de esfuerzos, de recursos y tiempo

Se deben establecer y discutir procedimientos de evaluación para el diseño y ejecución del proyecto

Comité Directivo Nacional /Equipo de Revisión Nacional

Para el buen funcionamiento de futuros proyectos, es fundamental que los mecanismos de coordinación entre las instituciones participantes a todos los niveles queden formalizados desde las primeras fases del proyecto

Las autoridades nacionales responsables de la selección del equipo nacional de investigación deben abrir a concurso el proyecto y definir criterios para la selección del grupo investigador

Los planes de trabajo que se elaboren para la implementación del proyecto deben ser parte integrante de las agendas institucionales de todos los participantes, para garantizar la institucionalización del proceso y dedicarle el tiempo requerido a cada una de las actividades

El comité directivo nacional del proyecto debe ser constituido en la fase inicial y en su inclusión se deben considerar la participación de al menos una organización que trabaje el tema, un representante de las universidades o un investigador

Es necesario garantizar y considerar un total entendimiento y comprensión de los aspectos conceptuales en el documento de trabajo a todos los niveles

Productos y Seguimiento

Para lograr una verdadera participación de los sectores y actores en los procesos de revisión y obtener sus opiniones o captar sus intereses es necesario establecer de forma sistemática reuniones cortas con los sectores para informar el avance y clarificar confusiones sobre los datos o las percepciones del equipo a cargo del estudio

Es necesario prestar atención a la opinión y representación de los actores y sectores en el proceso

El proceso debe ser liderado por la institución del gobierno responsable de la aplicación del Convenio, la que debe brindar un seguimiento sistemático al equipo encargado de elaborar el estudio

Anexo

Acrónimos y siglas utilizadas

CITES-NI	Oficina CITES capitulo Nicaragua
CETREX	Centro de Exportaciones
DGA	Dirección General de Aduanas
MARENA	Ministerio del Ambiente y los Recursos Naturales
MAGFOR	Ministerio de Agricultura y Ganadería
FFI	Flora y Fauna Internacional
PNUMA	Programa de Naciones Unidas para el Medio Ambiente

UCA	Universidad Centroamericana
UNAN	Universidad Nacional de Nicaragua
IHEID	Instituto de Estudios para el Desarrollo de la Universidad de Ginebra
RAAS	Región Autónoma del Atlántico Sur
RAAN	Región Autónoma del Atlántico Norte
SERENA	Secretaría de Recursos Naturales