



**CHATHAM HOUSE**

## **Energy, Environment and Development Programme**

Lessons from CITES and Montreal Protocol

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# Overview

- **CITES**
  - **Monitoring legislation** - National legislation project
  - **Reporting** – annual and biennial reporting
  - **Verification** – missions and role of NGOs
- **Montreal Protocol**



## CITES

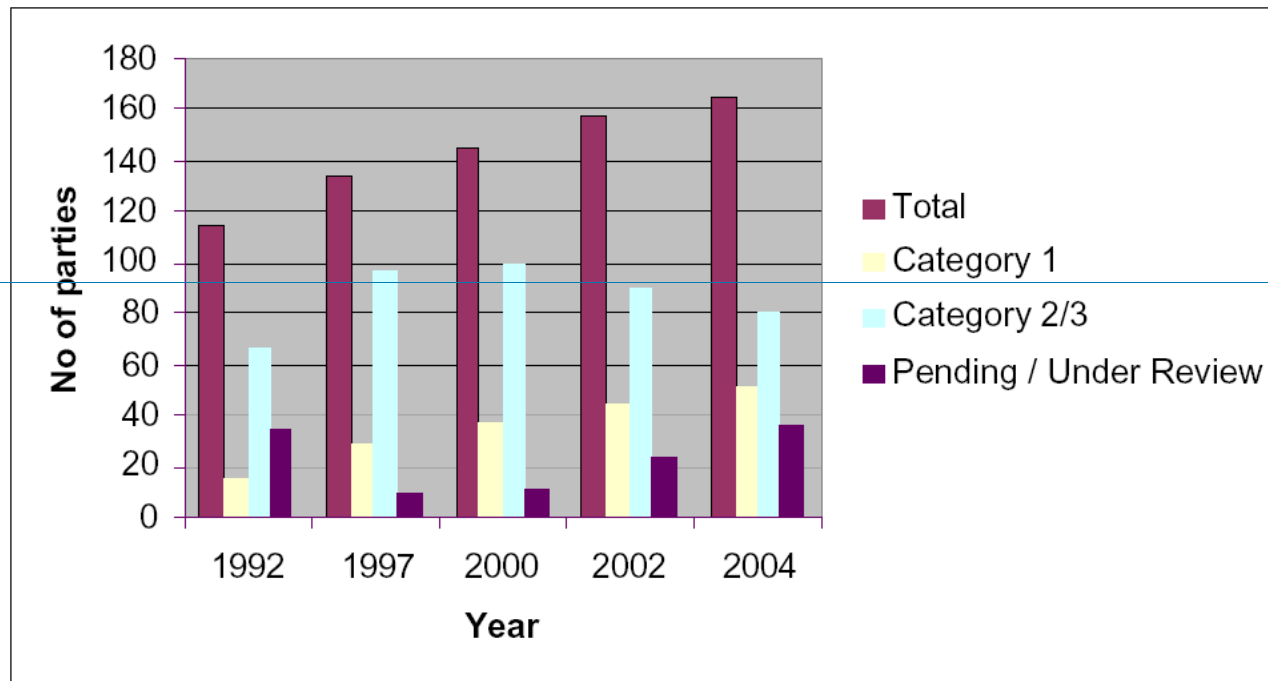
# National Legislation Project

- Review national implementing legislation
- 3 categories:
  - 1 complies with basic requirements
  - 2 partially complies
  - 3 non-compliant
- 1 and 2 – countries produce legislation plan
- Secretariat monitors progress & provides technical support
- Consequence for lack of progress – recommended suspensions of trade in CITES listed species



# National Legislation Project: progress

Figure 1: Progress in the national legislation project (1992–2004)



# Reporting

- Annual trade reporting
  - Consequence of failure to report for 3 years – Standing Committee can recommend trade suspension
- Biennial implementation reporting – failure to report incurs no consequences
  - 2004 - detailed standard reporting format introduced
  - 2007 – level of submissions rose substantially (53% for 2003-2004)
  - 2010 – level of submissions declined (39% for 2005-2006)



# Verification

- *Ad hoc* Secretariat missions
  - Check on general implementation and enforcement e.g. Nigeria – under trade suspension
  - Verification of trade controls (e.g. ivory trade in China, Japan)
- Roles of NGOs – TRAFFIC
  - Submits reports on trade and conservation status of CITES-listed species e.g. rhino horn trade
  - Monitors implementation and enforcement and supports Secretariat (only *one* Enforcement Officer in Secretariat)



## Montreal Protocol

- Regarded as most successful MEA
- Data reporting & non-compliance provisions one of key reasons
- Multilateral Fund key to developing country implementation
  - meets costs of production phase-out, conversion to alternatives and institutional strengthening (National Ozone Units)



## Data Reporting and Analysis

- Developing countries report data to:
  - Ozone Secretariat – annually *and*
  - Multilateral Fund – to different format & deadlines
- Ozone Secretariat – enters data into database & calculates production & consumption
- Data reports produced for Implementation Committee & MOP
  - Reporting rates higher than most MEAs





## Consequences of non compliance

- No submission of data to MF = no funding
- Non submission of data to Ozone Secretariat / failure to meet control schedules leads to:
  - Implementation Committee requires compliance Action Plans
  - Failure to meet benchmarks in Action Plans leads to 'indicative' measures recommended by Implementation Committee:
    - Formal cautions
    - Suspension of rights & privileges related to trade or finance



## No formal Verification

- Data reporting to Ozone Secretariat *and* Multilateral Fund assists with data checking
- Implementing agencies for Multilateral Fund provide technical assistance with:
  - Data collection and reporting (= 'External Monitoring')
  - Preparation of compliance Action Plans



## Lessons

- Data from NGOs improves information base and assists with monitoring enforcement
- Important to monitor national legislation and enforcement externally (NGOs can assist with enforcement monitoring)
  - National legislation is a *slow process* even with consequences
- Consequences are important
  - Withdrawal of funding is effective
  - No consequences = lower reporting rates

