

USAID End Wildlife Crime

Scope of Work: Review of Policies for Advocacy by Underrepresented Groups and Civil Society Organizations (CSOs)

July 11, 2024

ACTIVITY TITLE: Review of Policies for Advocacy by Underrepresented Groups and Civil Society Organizations (CSOs)

SUMMARY TASK DESCRIPTION

RTI International/USAID End Wildlife Crime (EWC) is soliciting the services of a consultant or consulting firm to:

1. Undertake a scoping study to identify and summarize policies, laws and regulations that are relevant to countering wildlife trafficking (CWT) in Cambodia, Indonesia, Lao PDR, Myanmar, the Philippines, Thailand, Vietnam and the People's Republic of China (PRC) that will build on data from the ASEAN Legal Handbook (version 2021) that compares key provisions on illegal wildlife trade across the region. Identify the key government agencies, their power and roles in implementing these identified policies and how they have been exercised in relation to CWT.
2. Conduct a comprehensive legislative analysis of these CWT relevant policies, laws and regulations to identify gaps, loopholes and unenforceable provisions that permit the sale and consumption of illegal wildlife parts and products. The analysis will examine the strategies, regulatory approaches or interventions used by the key agencies identified in #1 above. It will include a comparison of policies, laws and regulations that are similar across two or more of the above-cited countries.
3. Identify national and regional policies, laws and regulations that mandate space for public participation of CSOs, coalitions and networks including Underrepresented Groups in civic engagement and decision-making. These identified areas will enhance awareness among these stakeholders about their rights and obligations for engagement on CWT (and other biodiversity issues), help to clarify what roles they can play, and identify opportunities for them to engage with governments and other partners in advancing initiatives to end wildlife crime.
4. Based on the opportunities identified from # 3 above, recommend areas for trans-country or regional advocacy actions among the above-mentioned countries where regional CSOs, coalitions and networks including Underrepresented Groups can be most effective in remedying specific gaps, loopholes and provisions from the results of the legislative analysis in # 2 above.

BACKGROUND

End Wildlife Crime (EWC) Activity

The purpose of USAID EWC is to employ a comprehensive approach to measurably reduce wildlife crime by expanding CWT efforts of USAID Regional Development Mission for Asia (RDMA) through partnerships with regional organizations, governments, private sector, and civil society. The Activity focuses on achieving the objectives below.

- Objective 1. Capacity of regional civil society actors to equitably and effectively counter wildlife trafficking and other wildlife crime is enhanced. The Activity supports regional CSOs, coalitions and

networks that implement initiatives, activities, or social movements to counter wildlife trafficking and other wildlife crimes through advocacy, social mobilization, and behavior change campaigns using a social and behavior change communication (SBCC) approach emphasizing the inclusion of historically underrepresented groups (UGs), such as youth, women, indigenous peoples, and faith-based organizations (FBOs).

- Objective 2. Law enforcement, adjudication, and policymaking systems across the region improved with shared vision and collaboration to combat wildlife crime. The Activity strengthens the rule of law by working with law enforcement, judicial, and policymaking professionals to further institutionalize the competencies necessary to decrease wildlife trafficking and other wildlife crime through support to the region's criminal justice sector training institutes and their alumni associations to incentivize professional networks that can share best practices and increase conviction rates in wildlife prosecutions.
- Objective 3. Collective efforts and actions at the regional level among civil society, government, private sector, and development partners to counter wildlife trafficking and other wildlife crimes are improved. The Activity cultivates the growth of constituencies for collective action to support conservation and counter wildlife trafficking efforts spanning civil society, government agencies, the private sector, and their development partners to build multi-stakeholder regional coalitions that can assume leadership for regional knowledge sharing, consensus building, planning for common action, and implementation of coordinated efforts to reduce wildlife crime.

The Activity is implemented by a consortium led by RTI International with the International Fund for Animal Welfare (IFAW), Center for People and Forests (RECOFTC), TRAFFIC and World Wildlife Fund (WWF).

EWC Objective I: Enhancing Civil Society Capacity

USAID's Civil Society Assessment Tool (CSAT) broadly defines CSOs as "organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice. Both member-serving and public-serving organizations are included. Embraced within this definition, therefore, are private, not-for-profit health providers, schools, advocacy groups, social service agencies, anti-poverty groups, development agencies, professional associations, community-based organizations, unions, religious bodies, recreation organizations, cultural institutions, and many more."

EWC Objective I aims to enhance the capacity of regional CSOs, coalitions and networks including Underrepresented Groups to counter wildlife trafficking equitably and effectively. Previous CWT efforts have mainly involved government and law enforcement actors. Civil society has largely been left out of any meaningful engagement in designing and implementing CWT initiatives despite their potential to be a force multiplier across the region to more effectively combat wildlife crime. Underrepresented Groups such as youth, women, indigenous peoples, FBOs, have particularly been marginalized and underrepresented in CWT regional alliances and networks.

EWC activities will involve CSOs, coalitions and networks that operate regionally within the Association of Southeast Asian Nations (ASEAN) region or transnationally (two or more countries within ASEAN). Underrepresented Groups are CSOs. Since EWC is highlighting inclusion of underrepresented groups, they are specifically targeted as a subgroup of CSOs.

EWC will use a structured, locally led, and demand-driven process to build organizational, technical, and operational capacities and empower regional CSOs, coalitions and networks including Underrepresented Groups, to advance CWT objectives. Capacity building will be based on an assessment of these organizations' current capacities, needs and interests. Capacity building will

strengthen knowledge, attitudes, and skills of these stakeholder to effectively use SBCC for advocacy, social mobilization and behavior change campaigns, and to access resources and funding from other donors. It will also enhance knowledge and understanding of policies, laws and regulations which present opportunities for SBCC actions by CSOs and UGs at the regional and national level. EWC will provide technical support to capacitated CSOs and UGs to plan, implement and assess the SBCC actions they will select that will help achieve CWT goals.

This Policy Review is necessary to: 1) identify gaps in policies, laws and regulations relevant to CWT at the regional and national level; 2) identify of policies and laws at the regional and national level that mandate space for public participation by CSOs and UGs to sensitize them about their rights and obligations, generate awareness, and clarify their roles; and, 3) based on the information on the CWT-relevant policy gaps and opportunities for public participation obtained from # 1 and # 2, help these CSOs and UGs determine what are the most effective action areas they can pursue. Outputs from the Policy Review will be included as modules in capacity building of CSOs and UGs.

Scope of Work (75-person days from September 1 to December 30, 2024)

1. Gather data on policies, laws and regulations in Cambodia, Indonesia, Lao PDR, Myanmar, the Philippines, Thailand, Vietnam, and PRC, and regional policies in ASEAN that are relevant to counter wildlife trafficking building on data from the ASEAN Legal Handbook (version 2021) that compares key provisions on illegal wildlife trade across the region. Identify the key government agencies, their power and roles in implementing these identified policies and how they have been exercised in relation to CWT. The study will also highlight policies, laws and regulations that are similar across two or more of the above-cited countries. (40 person days).
2. Conduct a comprehensive legislative analysis to identify and describe gaps, loopholes and unenforceable provisions in these policies, laws and regulations that permit or facilitate the sale and consumption of illegal wildlife parts and products. The analysis will examine the strategies, regulatory approaches or interventions used by the key agencies identified in #1 above. It will include a comparison of policies, laws and regulations that are similar across two or more of the above-cited countries. (20 person days)
3. Identify and summarize national and regional policies, laws and regulations that mandate space for public participation of CSOs and Underrepresented Groups in civic engagement and decision-making that will enhance awareness of their rights and obligations regarding CWT and other biodiversity issues, clarify their potential roles and contributions, and identify opportunities for them to engage with governments and other partners to advance initiatives to end wildlife crime. The study will refer to existing reports from the WWF-led USAID [MFF Activity](#)¹ and WWF's "[Gender and Illegal Wildlife Trade: Overlooked and Underestimated report and the Toolkit](#)"² under the [Voices for Diversity](#)³ project". (10 person days)

¹ Mekong for the Future, a USAID-WWF partnership, works to improve natural resource governance in the Lower Mekong by strengthening civil society's participation in natural resource management.

² We know that gender dynamics infuse the illegal wildlife trade chain from source to market, but so far a 'gender-blind' approach to illegal wildlife trade has resulted in huge gaps in understanding of real-world illegal wildlife trade activities, processes and opportunities for intervention. The new WWF report 'Gender and Illegal Wildlife Trade: overlooked and underestimated', provides the first synthesis of these gender dynamics, and reveals that by bringing gender into our IWT work, we can improve the likelihood of conservation successes, and catalyze positive social change.

³ WWF's Voices for Diversity Project aims to strengthen capacity to effectively advocate for Nature Based Solutions, Illegal Wildlife Trade and Inclusive Conservation agenda at local, national, regional and global events. Directly support Indigenous People and Local Community organizations and Civil Society Organizations to facilitate local to global advocacy Enabling Indigenous People and Local Communities to have a voice in major policy and decision-making processes.

4. Recommend areas for trans-country or regional advocacy actions where CSOs including Underrepresented Groups can be most effective in remedying specific gaps, loopholes, and provisions. (5 person days)

Deliverables/Outputs

- **Draft Policy Review Report** with the four sections, each section to be submitted as follows:
 1. ***Summary of Policies, Laws and Regulations*** in PRC, Cambodia, Indonesia, Lao PDR, Myanmar, the Philippines, Thailand, and Vietnam, and regional policies in ASEAN relevant to CWT > 40 person-days after signing of the contract. To be submitted in word and PPT formats.
 2. ***Comprehensive Legislative analysis of these CWT relevant policies, laws and regulations*** that identifies gaps, loopholes and unenforceable provisions that permit the sale and consumption of illegal wildlife products > 25 person days after submission of Deliverable # 1 above. To be submitted in word and PPT formats.
 3. ***Identification and summary of national and regional policies, laws and regulations*** that mandate space for public participation of CSOs and Underrepresented Groups in civic engagement and decision-making > 25 person-days after submission of Deliverable # 1 above. To be submitted in word and PPT formats.
 4. ***Recommendations on areas for advocacy actions*** by regional CSOs and Underrepresented Groups > 25 person-days after Submission of Deliverable # 1 above. To be submitted in word and PPT formats.
- **Revised Policy Review Report** that incorporates all four sections above responding to comments from USAID EWC > 7 working days after receipt of comments from USAID EWC. To be submitted in word and PPT formats.
- **Presentation of Report (PPT)** to USAID and other partners > TBD.

Qualifications Required of the Consultant/Firm

1. Solid understanding of laws, policies, and/or law enforcement as it relates to wildlife crime, especially at the national and regional levels in Southeast Asia and PRC. Experience in seeking out and understanding legal documents, such as government laws, policies, and guidelines related to wildlife crime and environmental rights.
2. Demonstrated ability to author concise and engaging reports or documents on legal interpretation and analysis for a lay audience.
3. Exceptional English language writing skills.
4. Demonstrated ability to work quickly in consultation with a small team and incorporate feedback from clients/donors.

5. Demonstrated ability to conduct similar reviews in Asian countries with different legal traditions, languages, and processes for obtaining relevant statutory and regulatory documents required for this work.
6. Sound understanding of the cultural and political sensitivities of working in Asia and an ability to sensitively engage and write about such sensitivities.
7. Based in Southeast Asia in an advantage.

Documents Required for Application

1. Consultant/Company Profile including a description of experience in the above tasks or similar work scope and evidence of results.
2. Cover letter explaining why the Firm is suitable for the assignment.
3. Proposal for achieving the scope of work and tasks including a detailed budget. Expected in-country or international travel may be included in the budget if in-person meetings are required for the assessments. Travel plans need to be submitted to EWC for approval ten working days before they occur.
4. CVs of key staff to be assigned to this work scope, staff based in ASEAN an advantage.
5. Three client references.
6. Other relevant documentation which attests to the company's competence and suitability for the tasks.

Note: Only short-listed companies will be requested to orally present proposals.

Instructions:

- Please submit required documents to EWC_Procurement@ewcasia.org
- Please insert in the subject heading: EWC Policy Review_[Your Company Name]
- Please submit completed required documentation by AUGUST 2 COB, BKK time
- Questions can be submitted to EWC_Procurement@ewcasia.org. Deadline to submit questions is JULY 22 COB, BKK time