



## Illegal Wildlife Trade (IWT) Challenge Fund Annual Report

To be completed with reference to the “Writing a Darwin Report” guidance: (<http://www.darwininitiative.org.uk/resources-for-projects/reporting-forms>). It is expected that this report will be a **maximum** of 20 pages in length, excluding annexes)

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### IWT Challenge Fund Project Information

Project reference	IWT061
Project title	Wildlife in Indonesia: Loss, Damage, & Sanctions (WILDS)
Country/ies	Indonesia
Contract holder Institution	Lancaster Environment Centre, Lancaster University
Partner institution(s)	Auriga Legal Atlas Environmental Law Institute
IWT grant value	297,237
Start/end dates of project	01 October 2018 - 30 September 2020
Reporting period (e.g. April 2017-Mar 2018) and number (e.g. Annual Report 1,2,3)	01 October 2018- 30 March 2019 Annual Report 1
Project leader name	Jacob Phelps
Project website/blog/social media	In progress
Report author(s) and date	Jacob Phelps, Umi Latifah, Grahat Nagara 30 April, 2019

### 1. Project rationale

Although this is the 1st Annual Report for WILDS, please note that this project started in October 2018, so this report only reflects initial progress. In addition, although we have a limited number of outputs and indicators for Year 1, we have done our best to ensure this reflects progress to date. As a result, we have included a number of Annexes that are drafts, but illustrate our progress and trajectory.

The WILDS project involves lawyers, conservationists, economists and ecologists, and is focused on the criminal, administrative and civil sanctions applied to Illegal Wildlife Trade (IWT). It focuses on Indonesia, a priority IWT source and consumer country, where trade threatens a growing range of species—including IUCN Red List Critically Endangered species: Helmeted Hornbill, Sunda Pangolin and Sumatran Tiger. Indonesia has taken an increasingly active role in conservation enforcement and the prosecution of IWT perpetrators.

Yet, IWT yields profound impacts on the environment and society. For example, IWT impacts livelihoods, where it affects local harvests (e.g., reduced fish stocks) and harms tourism (e.g., degraded reefs, loss of charismatic species); restricts local access (e.g., tightened forest regulations), or presents physical risks to local residents. It causes a range of non-financial impacts (e.g., cultural, scientific or historical impacts of species loss), and introduces new costs of increased public investment into additional conservation measures (e.g., reintroductions, restoration, monitoring). It also yields lost tax revenues (e.g., from legal timber and fisheries trade); cascading ecological impacts (e.g., removing keystone species).

The magnitude of these impacts—on the public and on private citizens—is rarely reflected in the sanctions that perpetrators receive. This fails to send clear deterrence signals to perpetrators or to

communicate the scale of IWT harm to the public. Moreover, it does not recover money for conservation or to compensate victims of IWT.

This project challenges the impunity of IWT perpetrators globally through innovations to increase sanctions so that they are consistent, evidence-based and better reflect IWT injuries to society. It does this by through work to:

- Identify “best practices” for IWT sanctions, through comparative legal research to explore approaches to sanctioning IWT across 8 priority countries. This provides a benchmark for understanding the diversity of legal responses to IWT, and strengthening future legal frameworks responding to IWT.
- Specifically explores sanctions associated with the legal recourse of “liability for environmental harm”. Based on the “polluter pays principle”, this approach seek targets high-level perpetrators of commercial IWT and seeks to hold them responsible for remedying the harm they caused through IWT.
- The project then seeks to test this novel concept through an actual “test case” in the Indonesian courts. This involves selection of a case study where IWT has occurred, and site-based evaluations of the impacts/harm it has caused. This case study serves as both a learning opportunity, as well as an opportunity for strategic litigation.
- The project further evaluates the needs of key practitioners--Indonesian prosecutors and judges--and develops resources to help them operationalise these complex legal concepts. it further seeks international impacts, to begin a global conversation about what IWT sanctions should look like, and the relevance of liability for environmental harm.

Importantly, this project is unlikely many other projects focused on implementing “traditional” conservation actions (e.g., surveys, investigations, livelihoods and education initiatives). This project is primarily exploring new, interdisciplinary questions about how we might address IWT in the future via the legal system. By evaluating existing sanctions regimes and pioneering new approaches--notably liability for environmental harm--the project seeks to ensure that the legal responses to IWT better deter future harm, fairly reflect large-scale IWT harms, *and* help to remedy existing harm. This will have impacts for the specific species targeted by this proposal, as well as for other species globally that might benefit from both strengthened sanctions regimes and protection via liability suits.

## **2. Project partnerships**

The funded partners are: Lancaster Environment Centre (LEC), Auriga, Legal Atlas (LA) and the Environmental Law Institute (ELI). Overall, the partners are working well together, in good faith and with regular communication. Relationships have strengthened significantly following our in-person communications at the main April 5-day workshop in the UK, attended by LEC, ELI and Auriga (Annex 4.1). This meeting also enabled a 4-day ‘core team’ meeting between LEC and Auriga, including to review ways of work/communication and consolidate a Y2 strategy (Annex 4.1).

The key lessons relate to:

- The geographic spread of the partners: It would have been strategic to begin the project with an in-person group meeting. The April 2019 meeting was held at that time due to schedules and because we wanted to jointly evaluate initial project results. However, an earlier date would have helped strengthen relationships and communication.
- The greater-than-expected complexity of working across disciplines and countries: Working between conservation and law in different countries has lead to several cases of confusion and miscommunication. This has highlighted the importance of clarifying technical jargon, particularly across sectors and jurisdictions, which are doing as the project progresses.

Key strengths, to date, include:

- The active involvement of early-career researchers: Early-career members, including 2 researchers at Auriga and 2 PhD students in the UK and Brazil have been actively involved in shaping the project.
- Participation of ‘outside’ experts in shaping the project: We have received significant interest and support from outside lawyers, who are lending their expertise to the project (Annex 4.2), including with the case selection process and the development of research instruments.

- Diversity: Our team reflects diversity on a number of axes, including nationality, religion, gender, disciplines (law, ecology, economics), and between academics and practitioners.

Summary of relationships:

*LEC-Auriga:* The primary partnership is between LEC and Auriga. It was slow to start, and has strengthened significantly since January 2019, when we finally recruited a Research Assistant/Project Manager (U.Latifah). She is central to operationalising the project, including on communications and ensuring project pace. The use of Slack and WhatsApp has been very helpful and allowed us to keep in regular (weekly, if not daily) contact. In addition, we have had larger team meetings at critical junctures via Skype (e.g., project initiative, selection of case studies, methodology, government engagement) to ensure a shared vision and agree upon medium- and longer-term plans. Despite occasional miscommunications and some delays, the relationship is healthy and open. It has strengthened since extended face-to-face meeting, which will continue regularly in the first half of Y2, when J.Phelps will be in Indonesia often. Importantly, Auriga has been central in facilitating networks in Indonesia (Annex 4.2), including in Ministry of Environment and Forests (MoEF, see below) and with local (e.g., Titian Foundation, Forestry Law Enforcement, Natural Resource Conservation Agency, and National Park management).

*LEC-Legal Atlas:* This relationship has developed since the proposal was developed, as M.Rodriguez who worked with Legal Atlas has now started a PhD at LEC. The relationship has been challenging at times, given the complexity and scale of the LA research, and differences in terminology and approaches between practitioners and academics including regarding approach, scope and methods. As a result, several of the related outputs are delayed, but exist in advanced drafts (Annex 4.3., 4.4). We have worked together to create a credible, mutually-agreed upon plan for completing these early in Y2.

*LEC-ELI:* This is a long-standing collaboration (>5yrs), and ELI has specialised technical expertise in economics and law that are important to this project. They provided an internal background paper on liability for environmental harm and biodiversity (Annex 4.6), to help inform the April UK workshop, which C.Jones and J.Pendergrass attended (Annex 4.1).

*WILDS Project-Indonesia Ministry of Environment and Forests:* The Ministry recently agreed to WILDS involvement (Indicator 3.2). The MoEF Directorate of Conservation Area will second 1-2 two Ecosystem Analysts to join WILDS at our field site. In addition, Grace Saragih from the MoEF's Center for Quality Research and Development and Environmental Laboratory (P3KLL) has agreed to collaborate on field research (Annex 4.7). There are several other relevant directorates within the Ministry with which we are currently networking. Ministry officials have limited time-availability, many commitments and are often moved to other offices, so networking is often slow.

*WILDS Project-Indonesian Supreme Court:* We have strong existing relationships with ranking members of the Court, which will be important to our planned interviews (Y2) and to ensuring our materials are take into the Court's Environmental Law Certification Program for Judges. This relationship will be more relevant later in Y2 and in Y3.

*WILDS Project -Sub-national stakeholders:* Several other institutions have expressed interest in WILDS approach, and are helping to shape it(Annex 4.2).

### **3. Project progress**

#### **3.1 Progress in carrying out project Activities**

We report on progress across 5 Outputs, focused on related activities in Y1:

## **Output 1. There is a “best practice” standard available for IWT sanctions (civil, administrative and criminal)**

- **1.1 Extract civil, criminal and administrative IWT legislation for the 8 countries.**

We completed the review of IWT legislation in the 8 WILDS countries (Angola, Brazil, Cambodia, Costa Rica, Indonesia, Kenya, Mexico, Vietnam). We focused on using this to develop a taxonomy that lists all possible IWT crimes (Annex 4.3). The taxonomy contains more than 500 wildlife related offense types organized in a 3-level hierarchy, and provides a novel framework for standardizing the analysis of fines and penalties for wildlife crimes across jurisdictions. The taxonomy draft is now being shared with key stakeholders (WILDS team, select partners in enforcement) for review and testing to make sure it applies to a range of jurisdictions.

We also completed an analysis ‘liability for environmental harm’ in the eight countries (Annex 4.4). This was based on a legal questionnaire developed with inputs from the WILDS partners, with >30 key questions about how IWT is addressed in criminal, administrative, and civil law of the 8 countries. Legal Atlas produced a draft internal brief with overarching conclusions and a table summarizing some key elements for the jurisdictions studied, highlighting similarities and differences (Annex 4.4). The legal questionnaires are currently being reviewed by WILDS team, involving experts across jurisdictions for cross-checking, before further analysis. This is important because of the size and diversity of the dataset. The dataset is also being used to produce an overview summary table, to make the data more accessible (example in Annex 4.4).

We had planned to complete the data extraction and “best practices” standard in Y1, but both will now be finalised in the first quarter of Y2. This is because of the scale of work required to first establish the taxonomy, and the need for further review of both questionnaires and taxonomy.

- **1.2 Establish the “best practices” standard for IWT sanctions**

In order to prepare the “best practices” standard, we first needed to develop an initial list of all the laws governing IWT that we might want to compare across different countries (the draft “taxonomy” of IWT offenses described above, Annex 4.3). The final taxonomy will support cross-jurisdictional analysis of fines and penalties in the 8 countries, to propose “best practice” standards for a priority subset (5-10) of the nearly 500 IWT crimes in the taxonomy (see example of Brazil, Annex 4.3). This includes, for example, acts such as IWT involving hunting in a protected area. We will finalise the “best practices” standard for all 8 countries, during the first half of Y2.

## **Output 2. The legal and technical clarity and resources are available to facilitate development of IWT civil liability damage claims.**

- **2.1 Convene workshop in Lancaster with partners and key informants to conceptualise overall approach for calculating IWT damage claims and applying them in civil liability suits.**

The workshop was held in April 2019 due to scheduling demands of the participants, but is included within Y1 (Annex 4.1). This workshop grew to accommodate the external interest it generated among specialist experts, including S.Aravind (U.Cambridge, specific expertise on indigenous legal claims), A.Mance (U.Stanford, strategic environmental litigator) and I.Dabrowski (U.Santa Catarina, damage claims in Brazil). We also used a “budget change” request to accommodate increased participation of the Auriga partners. The result was a 5-day workshop of lawyers, economics and ecologists, as well as 4 days of meeting for the core LEC-Auriga team.

- **2.2 Convene series of stakeholder and expert workshops and interviews with economists, legal experts and civil society in Indonesia to establish consensus on existing IWT sanctions, and on the key technical and legal challenges to operationalising civil liability suits for IWT.**

We have held consultations in Indonesia (n=43) with government officials at national and sub-national level, civil society, legal experts and economists (Annex 4.2). Notably, drawing on these consultations, we are developing a “menu” of options (Annex 4.8). This menu articulates the choices available to legal practitioners interested in an IWT liability suit. This resource is informed by, and fed into the UK April workshop (Annex 4.1), and is providing the basis for the guidelines that we will provide practitioners to help operationalise liability for environmental harm (Indicator 1.2) and related research outputs (Activity 4.5).

### **Output 3. There is a body of Indonesian prosecutors, experts and judges able to operationalise civil liability cases for IWT.**

- **3.1 Engage partner and boundary organisations in Indonesia to integrate guidelines into existing training schemes**

We have engaged several groups involved with judicial training, including Wildlife Conservation Society Indonesia, who are receptive to our contributions of additional resources. We have engaged a new perspective partner, Planet Indonesia, which is working with judges in one of our target areas (Pontianak, W. Kalimantan), and has expressed interest in using WILDS resources. We also have a strong working relationship with Indonesia's Judicial Certification Programme on the Environment, run by the Supreme Court, and are engaging with people involved in their trainings. We will expand this targeted network in Year 2, critical to ensuring impact impact and legacy, once we have more tangible resources to share.

- **3.2 Collaborate with researchers from Ministry of Environment and Forests, ensuring they are meaningfully engaged in project design and implementation.**

We have networked with several MoEF departments (it is made up of >40 directorates) (Annex 4.2). The MoEF has agreed to WILDS involvement (Indicator 3.3), despite challenges with holding meetings, given their busy schedules. The MoEF Directorate of Conservation Area has agreed to second 1-2 two Ecosystem Analysts to join WILDS with parts of our fieldwork. In addition, Grace Saragih from MoEF-Center for Quality Research and Development and Environmental Laboratory (P3KLL) has agreed to formally collaborate on the project research (Annex 4.7).

### **Output 4. Indonesian and international legal and environmental communities are aware of emerging standards for IWT sanctions and the potential to quantify environmental harm from IWT, including for use in civil liability suits.**

- **4.4 Prepare journal publication on international sanctions regimes for IWT and proposing a "best practices standard"**

We have developed the background framework and data needed to develop this publication, described above under Output 1 (Annex 4.3). We have also started parallel work on a manuscript on this topic, which will be a policy-focused academic publication led by M.Rodriguez as part of her PhD.

- **4.5 Prepare journal article on economic valuation of IWT harm and its use in civil liability suits for IWT cases.**

We are starting this publication, which is based on findings of the UK April workshop (Annex 4.1) and an ELI background paper (Annex 4.6).

- **4.6 Engage environmental law community in remaining 7 countries in the comparative study, via direct engagement via ELI, Auriga and LA professional networks.**

Although the project has not yet produced final outputs with which to target these stakeholders, we have begun to identify appropriate fora for international engagement. Target opportunities to date include:

- Sustainability & Development Conference (University of Michigan, Oct. 2019), to which J.Phelps has submitted an abstract;
- Fifth Session of the UN Environment Assembly, a priority global event that we aim to engage, although is beyond the project window. It is difficult to get on this agenda, but ELI is working its networks to try to get this topic recognised.
- International Network for Environmental Compliance and Enforcement 10th International Conference (Edinburgh, Sept. 2019). ELI is organizing this event with Scotland EPA, and will use it highlight WILDS outputs.
- World Justice Forum VI, which LA is attending and will be informally sharing our draft findings and the WILDS approach via its networks (The Hague, May 2019).

### **Output 5. A pioneering civil liability for IWT harm "test case" is developed using the project resources.**

- **5.1 Formalise agreement with the Environmental Defender Law Centre**

The Centre has shifting its funding priorities and, although still willing to fund Auriga, is now focused on climate change litigation. We are still engaging with them, currently updating them on the field site scoping, in an effort to demonstrate its continued relevance to their work. We believe that, once we have selected a specific “test case”, this will allow us to make a further case for their support. There are 2 other sources of unsecured funds mentioned in the application and that support this Output but without specific indicators, that we can also report here. We recruited an excellent PhD student (M.Rodriguez, <http://jacobphelps.wixsite.com/cons-governance/lab-members>). She is a lawyer focused on IWT who was involved in developing the WILDS proposal, and her research will now help to support development of WILDS outputs (e.g., Indicator 1.2, 1.3). J.Phelps is also now co-supervising the PhD of I.Dabrowski at the University of Santa Catarina, Brazil, on a project that is very likely to contribute outputs supporting WILDS.

As detailed in Output 3.2 (above), we have also received agreements for in-kind Indonesian government support, with the secondment of their staff to participate in WILDS research.

- **5.2**

We had planned to have a case selected already, but the selection process has required significantly additional work; we have to make sure the case we select is relevant to our aims and likely to be successful when we litigate.

To aide this, we developed a set of case selection criteria to guide our efforts (see Annex 4.9). These criteria were then applied to the cases in WCS’s internal IWT database, as part of a review of >300 recent large-scale IWT cases (Annex 4.9, database of cases here). We also visited 3 regional courts (Lampung, North Sumatra and W. Kalimantan) to access official documents and to interview key informants to help with case selection (Annex 4.9).

Based on this work, we have identified several prospective cases, described in the Annex, involving IWT of orang-utan, helmeted hornbill and pangolin—located in W. Kalimantan and N.Sumatra (Medan). We have also identified potential plaintiffs who could work with Auriga to lead this suit. We are currently working to confirm 1-2 viable cases, based on one further scoping trip during which we will confirm a local-level plaintiff as well as the exact defendant against whom the suit will be brought. We plan to have a solid case selected in July 2019 (after Ramadan holidays).

### **3.2 Progress towards project Outputs**

The project is on track to meeting its outputs. Important, the first 6 months of the project have focused on setting up the project concept: clarifying how damage claims for IWT can be conceptualised, working through related legal considerations and identifying cases. Given the novelty of the proposed legal actions, there has been significant groundwork.

#### **Output 1. There is a “best practice” standard available for IWT sanctions (civil, administrative and criminal)**

While there are widespread calls to strengthen enforcement and legal frameworks to tackle IWT, there are few comparisons of how different countries are actually sanctioning IWT across different areas of law (civil, administrative, criminal). There are also few structured assessments of the fines and prison sentences used to address IWT in different countries.

In Y1, we produced a first-of-its-kind taxonomy that helps to allow for standardised comparisons of IWT legislation—within this project and in future (Annex 4.3)—and which considers the range of legal remedies that apply to IWT (Annex 4.4). This has been applied to the 8 target countries, encompassing 170 laws: Angola (23), Brazil (26), Cambodia (15), Costa Rica (13), Indonesia (23), Kenya (21), Mexico (24), and Vietnam (25). This will next be used to establish a “best practise standards” that will help policy-makers and NGOs think about how IWT is sanctioned in different countries, and will be finalised in the first quarter of Y2.

These data are being shared via the Legal Atlas online platform, which allows users to compare legislation across countries. Two of its key searchable topics relate to wildlife trade and

environmental crime, which represented large gaps in the dataset, which WILDS has helped to fill—completing legislative review for new countries. The IWT sanctions taxonomy (Annex 4.3) was the result of the analysis of 90 laws from eight different countries, all of which are now integrated into the Legal Atlas platform on Wildlife Trade ([www.legal-atlas.net/Wildlife\\_Trade/](http://www.legal-atlas.net/Wildlife_Trade/), Annex 4.5). The review focused on liability for environmental (Annex 4.4) is a topic that was not previously reviewed by Legal Atlas and no existing databases or comparative datasets elsewhere. These are now available online in the Legal Atlas platform, under the Environmental Crime topic ([www.legal-atlas.net/Environmental\\_Crime/](http://www.legal-atlas.net/Environmental_Crime/), Annex 4.5).

## **Output 2. The legal and technical clarity and resources are available to facilitate development of IWT civil liability damage claims.**

There has never been a liability for environmental harm case involving IWT anywhere in the world. To date, these suits are usually limited to events such as oil spills, where they are used to mandate polluters to take actions such as clean-ups and pay compensation to fishers. Transferring these legal concepts to the context of IWT and biodiversity presents significant opportunities, but also conceptual and legal challenges. There are no associated academic texts, legal guidelines or resources for practitioners, and the legal texts that allow for these suits offer little guidance on how they might be operationalised.

As such, we have focused on the background work needed to conceptualise these types of legal suits, drawing on economics, ecology and law. This has involved consultations with 43 experts in Indonesia (Annex 4.2). It has also included 4 workshops in the UK and Indonesia (Annex 4.1). As detailed above (Activity 2.2), we are drawing on these to develop a framework that will allow us to explain how these claims can be operationalised. This involves academic groundwork (Indicator 4.5) and accessible outputs for practitioners, such as guidelines (Indicator 1.2, 2.3, Annex 4.10). We are then combining this with a strategic litigation (Activity 5.2) that will test these new concepts with a real courtroom case—providing a global example of how these suits might be operationalised.

## **Output 3. There is a body of Indonesian prosecutors, experts and judges able to operationalise civil liability cases for IWT, with the guidance to allow them to account for environmental and socio-economic dimensions.**

Liability suits for environmental harm are rarely operationalised, particularly in tropical developing countries. However, the WILDS project specifically focuses on Indonesia because it has unique experience with these types of suits. Since 2013, Indonesia has had 14 such cases in the context of prosecutions against companies causing environmental harm as a result of illegal clearing and burning of peatland forests. It thus provides an ideal context within which to explore how these types of suits can be applied in other context—including IWT.

Despite this enabling context, there are no guidelines in Indonesia or elsewhere for *how* these suits can, and should be operationalised, nor do prosecutors, NGOs or judges have much/any experience dealing with these types of suits—particularly in the context of IWT. One step towards this, which we advanced in Y1, is buy-in from government and civil society partners who might take-up our ideas in their future practise. To this end, we have been networking with government, and have worked to have several government researchers seconded to the project (Indicator 3.3, Annex 4.1). We have also started the draft guidelines (Indicator 2.2) that we will use to communicate complex ideas to practitioners (Indicator 3.1, Annex 4.10).

## **Output 4. Indonesian and international legal and environmental communities demonstrate awareness of emerging standards for IWT sanctions and the potential to use civil liability suits to account for environmental harm from IWT, including environmental and socio-economic impacts.**

Associated Indicators are all in Y2 and build on our project outputs. However, as discussed, we have started extensive networking and have identified some particular civil society and government partners who are interested in the WILDS approach (Annex 4.2).



## **Output 5. Pioneering civil liability for IWT harm “test case” is developed in a way that captures environmental and socio-economic harm**

Although not listed as an explicit indicator, selection of the appropriate case(s) for this project is absolutely essential—for reasons already detailed in this report. We have conducted significant desk-based and fieldwork towards this, and have identified viable options associated with IWT cases for orang-utan, pangolin and helmeted hornbill (Annex 4.9).

- **5.1 Agreement for additional funding for Auriga from the Environmental Defender Law Centre**  
As discussed above, the funds have not been secured. However, we are continuing to work on this contact. We have also levered two other sources of additional in-kind funding (PhD student and secondment of Indonesian government researchers).

- **5.2 ‘Step-by-step’ timeline of how environmental civil suits should be filed in Indonesia**  
Our draft guidelines on developing a liability suit for harm from IWT (Annex 4.10), which are currently under development, are being developed to reflect the case development process. This includes procedural matters, as well as conceptual steps associated with developing this type of case, which could apply to any country context.

- **5.3 Established grounds for legal standing (i.e. right of Auriga to be the body to bring this specific claim to court)**

We have completed 3 background papers that explore key legal issues important to inform our legal claim, including one on the right of different types of actors (e.g., NGOs, government, community,) to bring a liability claim for IWT (Annex 4.8). We will use these to inform the guidelines and technical resources, as well as to substantiate our own “test case”.

### **3.3 Progress towards the project Outcome**

**Outcome 0.1. Indonesian legal system demonstrates ability to better account for the harm that IWT causes society, pioneering approaches that will improve the global community’s understanding of IWT harm and ways to strengthen sanctions to deter future IWT and compensate for IWT harm.**

We believe WILDS is on track to deliver this outcome, and that this will be well-reflected by the proposed indicators. So far, the project is providing unique insights into 1) how we can understand the harm that IWT causes society, and 2) about how we should sanction IWT as a result.

More specifically, the project has made progress towards how we can develop damage claims that better reflect the costs that IWT causes society, which is needed to develop our first “test case” (Indicator 0.1.1) and to develop guidelines to help practitioners do this in future (Indicator 0.1.2). We have also made progress towards identifying our specific “test case”, which will be introduced into the court system. The project has also started to network with the stakeholders who might take such future actions in Indonesia (Indicator 0.1.3, Annex 4.2). This progress is instrumental to operationalising new types of legal actions that can help remedy the harms caused by IWT (e.g., through funds for species conservation or reintroduction, compensation for victims). It also sends social signals to politicians, media and the public—well beyond the impacts of any individual cases—about the broad scope of harm that IWT can cause, but which otherwise often go overlooked.

We recognise the difficulty of ensuring that the judicial system operates in a fair, timely manner, which would be needed to ensure that our “test case” is treated and ruled on in the way we hope it will. As such, we are focused on ensuring that our project yields a range of additional benefits, regardless of the outcome of any single case. This includes work related to sharing the WILDS approach with civil society and government in Indonesia and internationally, and with integrating our resources into others’ training resources. We further have a public communications strategy, which we are likely to expand in Y2, to help ensure that our “test case” received broad public attention.

In addition, the project has collect the baseline data needed to establish the first “best standard” for IWT sanctions (e.g., fines, imprisonment). This will facilitate a global discussion about sanctions for



IWT, including necessary debate about what types/scales of sanctions appropriate for IWT. That is particularly relevant in the context of global calls to “strengthen enforcement”, while others are interrogating the over-criminalisation/militarisation of conservation. This progress is in the Activities and Outputs, but is less deeply reflected in the existing Outcome-level indicators. We think the existing logframe is nevertheless adequate, but we can add an additional indicator, if advised.

### 3.4 Monitoring of assumptions

The previously identified assumptions and risks largely hold true, with a few important developments that are noted here:

#### Outcome 1:

##### Output 3:

**Assumption:** Relies on the continued buy-in from the legal community and specific government agencies and successful engagement with partners.

**Comments:** Government buy-in is particularly important on several fronts, including the proposed ‘secondment’ of ministry officials to the project (e.g., Indicator 3.3) and the potential for a government plaintiff (see discussion in Annex 4.9). There have been changes in leadership since the proposal was developed, so we are continuing to manage and network with government partners. We have established relationships with several parts of the MoEF, notably the Directorate of Conservation Area (BKSDA) and the MoEF-Center for Quality Research and Development and Environmental Laboratory (P3KLL) (Annex 4.7). We are further working to formalise a relationship with MoEF Directorate General of Law Enforcement (Gakkum).

##### Output 5:

**Assumption:** There is a viable legal case and plaintiff that can be identified

**Comments:** Our project includes presenting an actual legal suit in court, which requires us to first identify an appropriate real-world case. This is proving challenging in practise, requiring a good deal of background research, including travel to regional courts to obtain documents (discussion in Annex 4.9) and interviewing local stakeholders in order to select a strategic cases likely to be successful (Annex 4.2). In the process, we are also identifying case studies that will be helpful for development of the guidelines (Indicator 0.1.2). Notably, we are recognising that most IWT prosecutions in Indonesia (and indeed globally) involve small-scale actors (e.g., transporters and small harvesters), rather than higher-level criminals (Annex 4.9), and the legal tools we are interested in using are only appropriate in the latter case. We are thus taking our time to select the right, strategic case that is most likely to make WILDS a success.

## 4. Impact: achievement of positive impact on illegal wildlife trade and poverty alleviation

**Impact: Reduction in the commercial illegal wildlife trade in Indonesia, to improve judicial accountability and protect natural capital stocks that support biodiversity, rural livelihoods and wellbeing.**

By the end of Y1, our main contribution has been around providing clarity about how we can conceptualise the harm caused by IWT, through consultations with a wide range of Indonesian experts (Indicator 2.1, Annex 4.2.), via our expert workshops (Activity 2.1, Annex 4.1) and with background papers (Annex 4.6, 4.8). These represent the initial technical work needed for the project outputs (e.g., Indicators 1.2, 1.3, 1.4). It is needed to clarify the harms that IWT causes (e.g., to species, government agencies, livelihoods, wellbeing), and then working to communicate these via both scientific tools and legal actions. Importantly, following our research to date, we are increasingly thinking about the project in terms of the actions needed in order to remedy IWT, rather than simply about quantifying/characterising harm that arises from IWT. This makes our work more actionable, as it forces us to think about the specific actions that we want perpetrators of IWT to take / support / fund in order to help remedy the harm they cause. This has direct implications for victims, including dimensions associated with poverty and wellbeing.

In Y2/3, we will now be able to work on operationalising these insights to send society and decision-makers clear signals that IWT is a serious societal challenge, but one that can be partially remedied via legal challenges (Indicator 5.5). We will further highlight this via public communications (Indicator 1.4), resources for practitioners (Indicator 2.3, 3.1) and strategic engagement with technical experts (Indicator 4.3, 4.4, 4.7). These are important to ensuring that environmental crime is no longer treated as peripheral, and to actively demonstrating its impacts on lives, economies and ecosystems—backed up by strong science and strategic legal actions designed to generate public attention.

In addition, our emerging “best practices standards” are key to improving accountability by encouraging more critical, international comparative review of how different countries treat IWT crimes (Indicator 1.1, 1.2, Annex 4.3). In Y2, this has the scope to promote debate (and possible harmonisation) across jurisdictions and to strengthen legal frameworks for IWT (e.g., review fines, prison sentences), and also to cause people to interrogate what types of penalties are fair, proportionate and deterrent, to help ensure future conservation.

## **5. Project support to the IWT Challenge Fund Objectives and commitments under the London Declaration and Kasane Statement**

The proposal contributes primarily to two key objectives of the IWT Challenge Fund, 1) strengthening law enforcement, and 2) ensuring effective legal frameworks, as specifically evidenced by:

The comparative review of IWT sanctions across 8 countries (Annex 4.4): This unique analysis helps to build effective legal frameworks because it specifically articulates and compares the criminal, administrative and civil legal sanctions that exist in different jurisdictions. It also articulates the various (>300) actions involved in IWT offenses that form part of IWT legal frameworks (taxonomy, Annex 4.3). This is important because, amidst generic calls for strengthening enforcement and frameworks, it considers the different elements that could be considered for review/strengthening. Moreover, by comparing these frameworks, it creates the basis for discussing “best practices” (Annex 4.3). This standard opens the opportunity for international discussion about what sanctions for IWT are most appropriate in different contexts, and where these might be harmonised or standardised. Similar standards are common in other sectors (e.g., maximum levels of exposure, minimum sentencing guidelines).

The review of recent, large-scale IWT legal suits, including desk-based review of 300 recent cases (Annex 4.9): This review is part of our process to identify an appropriate test-case for litigation, and case studies for the guidelines. It also provides a window into how the criminal justice system is currently dealing with IWT. Notably, it provides a basis for arguing that existing frameworks and enforcement are largely insufficient for dealing with IWT, and that liability suits are an important additional resource to explore. This evidence will be used in engaging with government and partners, as well as a basis for legal reasoning in our case.

## **6. Impact on species in focus**

We do not have species-level impacts to report on (nor do we have indicators at this scale), as the project is focused on much broader systemic reforms. This includes changes to the way in which legal frameworks and legal practitioners use the law in response to IWT.

That said, the specific “test case” that we litigate will generate benefits for specific species. We have not yet confirmed what that case will be or what species it will involve, but it seems likely to involve 1-2 IUCN Red List Endangered species: helmeted hornbill, pangolin or orang-utan (cases discussed in Annex 4.9). Depending on what we include in the damage claim, it could - for example - recover financial resources to support actions such as species reintroduction, habitat conservation and/or education. This would provide direct benefits to the specific species, although the legal case outcomes (and ensuing species impacts) will likely be beyond the project timeframe.

## **7. Project support to poverty alleviation**

In terms of poverty alleviation, the primary intended beneficiaries are forest-dependent communities in Indonesia who are affected by IWT in a number of ways—including because IWT may disrupt

ecosystems on which they rely; limit the wildlife they harvest (an estimated 4 million people in Indonesia), or other aspect of their their livelihoods (e.g., tourism); impinge on specific cultural and religious ties to affected wildlife; or because they are affected by poaching in their communities (e.g., security) and/or restrictions placed on them because of concerns over IWT. The project also benefits the civil society, local and national government agencies often representing the interests of these communities in formal institutions. The project has significant and tangible, but long-term and indirect impacts for poverty-reduction and wellbeing within these communities, and there were 3 key types of impacts identified in the application.

#### Evidence of contributions towards the 3 key types of poverty-reduction impacts

Impacts listed in proposal	Evidence of contributions towards those impacts
<p>Better quantify the scale of IWT harm on society, including on the poorest communities who often suffer the burdens of IWT</p>	<ul style="list-style-type: none"> <li>● The workshop “Conceptualising damage claims for harm to biodiversity” explored how we might conceptualise and the harm caused by IWT on species and on society (Annex 4.1), and best identify legal remedies that capture and remedy these costs. Importantly, this includes a broad conceptualisation of harm (e.g., impacts on culture, livelihood security), and thus reflects a broad understanding of wellbeing.</li> <li>● The workshop “How do lawyers and scientists conceptualise the harm caused by IWT?” at the event “<a href="#">Evidence-to-Action: Research to Address Illegal Wildlife trade</a>” served to share ideas about liability for environmental harm, and to evaluate the receptiveness and viability of these ideas among experts with case-based IWT knowledge in a number of contexts (Annex 4.1).</li> <li>● The Brief “Abstract of background paper on methods used in US damage claims” (Annex 4.6) specifically explores how these types of challenges have been overcome in the valuation literature and US legal experience, in order to inform the options available for IWT cases. In particular, it considers how valuation tools might be used to put prices on the remedies required in response to IWT.</li> <li>● Scoping and case review in North Sumatera, West Kalimantan and Lampung (Annex 4.9) considered the specific IWT cases we might select, and - importantly - who the plaintiffs might be in those cases, including rural communities affected by IWT and/or government and civil society groups who represent them.</li> </ul>
<p>Pioneer legal mechanisms that help compensate victims of IWT, whether through direct payments or actions that remedy harm (e.g., reintroduction, apologies)</p>	<ul style="list-style-type: none"> <li>● The review of IWT Sanctions in 8 countries compares how law sanctions IWT, both via fines and imprisonment (Annex 4.3) as well as via liability for environmental harm (Annex 4.4). This allows us to learn from different countries to understand how these legal mechanisms can be better operationalised to meet their intended social and environmental objectives. Importantly, it considers mechanisms for remedying harm, such as via restoration, payments and non-financial compensation.</li> <li>● The reviews on operationalising liability for environmental harm in Indonesia considers now only how this type of remedy might be operationalised, but specifically how it can apply to help remedy IWT cases (Annex 4.8).</li> </ul>
<p>Improve judicial responses to IWT to ensure legal responses fairly access the costs of IWT.</p>	<ul style="list-style-type: none"> <li>● The first draft outline for guidelines for practitioners on liability for environmental harm encapsulates our views on the types of issues that practitioners will need to understand in order to strengthen their practise and ensure their approaches to IWT are account for the broad costs it causes to society (Annex 4.10).</li> <li>● We have just started to share our ideas about these legal responses to IWT, including their broader scope to address social</li> </ul>

	impacts such as poverty and wellbeing impacts, with the broader community—including with government agencies, civil society in Indonesia (Annex 4.2), and with the academic and conservation community (Annex 4.11).
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## 8. Consideration of gender equality issues

The project is seeking not only gender balance in terms of portion (equality), but also in decision-making and opportunity (equity). The project team itself is well gender balanced. This is reflected, for example, in the WILDS UK Workshop (Annex 4.1, 58% women). While the main project partners (LEC, Auriga) are led by men (J.Phelps, G.Nagara), women have been working in prominent roles, responsible for leading specific parts of the work and actively making decisions about the project scope, approach and management. This includes the Research Assistant/Coordinator (U.Latifah), collaborators (Dr. Carol Jones, Ana Mance) and researcher (R.Fajrini). It includes specific support for early-career women, with opportunities for networking, international travel (Annex 4.1) and support with their first formal publications, including contributions of 2 female Ph.D. students (M.Rodriguez, I.Dabrowski), and researchers from Indonesia who are interested in pursuing Ph.D. study (R.Fajrini, U.Latifah). This has particular implications for building capacity and opportunities within the heavily male-dominated field of law.

Gender equality has been more difficult to achieve with working with Indonesian partners outside of our home institutions (Indicator 2.1). For example, our fieldwork scoping and government engagement have been heavily male-dominated (Annex 4.2; 28% women), which we cannot entirely control within the project as these reflect existing patterns in Indonesian society. However, we have sought opportunities to bolster the engagement of several key women the discussions during the fieldwork scoping study (Annex 4.9). Once we start fieldwork, we have plans to ensure that women's views inform the damage claim for our "test case"

## 9. Monitoring and evaluation

We are using a shared virtual document to facilitate our indicator tracking. This lists all of the indicators and their relationships to the related activities, outputs and timelines. Each partner can enter in their specific progress, and U.Latifah is providing oversight to ensure these are up to date. This document focuses primarily on quantitative indicators (e.g., number of meetings, number of participants, status of report). We are then using an impact log to track engagement with stakeholders, and this serves as our primary approach to qualitative evaluation. The dataset includes the type of engagement, status of the relationship, whether the actor is receptive, whether the actor is a likely "influencer", and whether there is evidence of related impact (e.g., email, an action, etc.). To date, the dataset is primarily serving to identify priority stakeholders and their interest/relevance to the project. In both cases, any key evidence is being stored as a document in a shared online file, to store participants lists, photographs, publications/reports. We will also store specific communications from external partners responding to our project in ways that might highlight specific achievements (e.g., email in Annex 4.7).

We are employing Slack.com for day-to-day discussions about activities and outputs (primarily LEC-Auriga), regular meetings between J.Phelps and U.Latifah, in addition to monthly project calls via Skype.

The primary area for improvement involves more frequent updating of the databases, and the greater organisation of evidence documents in the shared file.

## 10. Lessons learnt

Key lessons from Y1 are that we would:

- Begin with a face-to-face group workshop. While there are clear benefits to leaving this until later in the project, when there is more substance to discuss, an early meeting is important to shared vision and team-building.
- Engage fewer partners. The complexity of the project has required partners from across disciplines and organizations, but this has introduced significantly increased logistics that has

costs in terms of communications, consensus-building, budget management and monitoring. While a small project team also has limitations, the associated efficiencies are significant.

- Ensure human resources are in place, prior to start. We struggled to find qualified, available staff in Indonesia, despite an intensive recruitment process. While we started this well before the project start date, we were not able to hire someone until 3 months into the project. Ideally, we would have had this all in place prior to the start.
- Work with people you already know and trust. Building relationships, shared understanding and mutually agreed work-styles is time-consuming, and hard to do well. Working with people who you already know that you can work with and will deliver under difficult circumstances is essential, particularly on a short project.
- Hire a project coordinator. Especially in a multi-country, multi-partner, complex project, it is essential to have someone who can help with the day-to-day project coordination.
- Identify fewer indicators. There may be a tendency to expand the number of indicators to satisfy the donor, but this may be a false logic, especially when it comes to the burdens of record-keeping and reporting. Guidance on the “right balance” would be helpful.

In this next year, we are going to increase our day-to-day communications. Notably, J.Phelps (LEC) will be spending a good deal of time in the Auriga office from June/July-Dec. 2019.

## **11. Actions taken in response to previous reviews (if applicable)**

NA

## **12. Other comments on progress not covered elsewhere**

The greatest project risk remains that associated with identifying preparing and filing the legal suit. This involves not only finding IWT case(s) appropriate, but also determining who will bring the suit on behalf of the affected flora/fauna, establishing a compelling claim, and ensuring there is adequate evidence to support that claim. Moreover, we need to ensure that we target a large-scale perpetrator of IWT with the ability to pay, as liability suits of this type are not appropriate for small-scale perpetrators. We are mitigating this by carefully selecting our case(s), and also by carefully investigating the proposed defendants to ensure our case is well-targeted.. We are also ensuring that we produce substantial project outputs that have value independently of any individual legal case.

## **13. Sustainability and legacy**

Our plan for post-project legacy remains in place:

We have a strong working relationships with people involved in long-term judicial training, including the Judicial Certification Programme on the Environment, Wildlife Conservation Society and Planet Indonesia. Their interest in WILDS resources will help to ensure its relevance beyond the project duration. Once we have clearer outputs, we will work to share these resources and identify specific ways in which they will be used/adopted (and collect relevant evidence).

We have built relationships with key partners at different scales who might help take-up with WILDS approach. This includes key directorates within the MoEF, who have responded enthusiastically to the project and will be seconding staff to the project, which will have longer-term implications for capacity-building and integrating our approach into mainstream institutions. We also have plans in place to reach out to other relevant parts of the Ministry, notably the Directorate General of Law Enforcement (Gakkum). We have also networked with provincial-level Forest Law Enforcement Agencies (Annex 4.2), who highlight the need for resources to help them respond to IWT.

At the international scale, we are working to identify the most appropriate opportunities—within budget and where partners are already planning to engage—to share insights from the project with key stakeholders (See reporting on activity 4.6).

## **14. IWT Challenge Fund Identity**

The Fund and Government are being recognised when we reach out to stakeholders. In Year 2/3 we plan to engage much more actively in public-facing communications where these will be publicised.

**15. Project expenditure**

**Table 1: Project expenditure during the reporting period (April 2017-March 2018)**

<b>Project spend (indicative) since last annual report</b>	<b>2017/18 Grant (£)</b>	<b>2017/18 Total actual IWT Costs (£)</b>	<b>Variance %</b>	<b>Comments (please explain significant variances)</b>
Staff costs				
Consultancy costs				
Overhead Costs				
Travel and subsistence				
Operating Costs				
Capital items				
Others				
<b>TOTAL</b>				

**Please note:** We had a budget change approved in March 2019 for LEC and Auriga in Y1, described below. The above table reflects the budget changes approved for LEC but, mistakenly, does not reflected the changes requested for Auriga. This will not affect the overall actual costs, and will not bring us into greater variance in any one column. We are working with Lancaster University finance to rectify this urgently, and will provide a revised table as soon as possible.

Y1 approved budget changes:

- LEC: £moved from “Travel and Subsistence” to “Operating Costs” (reflected above)
- Auriga: £moved from “Staff Costs” to “Travel and Subsistence” (£) and “Other Cost (UK Visa)” (£) (not reflected in table above).
- Auriga: £ from “Staff Costs” to “Operating Costs” (not reflected in table above).

**16. OPTIONAL: Outstanding achievements of your project during the reporting period (300-400 words maximum). This section may be used for publicity purposes**

NA

## Annex 1: Report of progress and achievements against Logical Framework for Financial Year 2017-2018

Project summary	Measurable Indicators	Progress and Achievements April 2017 - March 2018	Actions required/planned for next period
<p><b>Impact</b> Reduction in the commercial illegal wildlife trade in Indonesia, to improve judicial accountability and protect natural capital stocks that support biodiversity, rural livelihoods and wellbeing.</p>		<ul style="list-style-type: none"> <li>Established national and sub-national networks/experts needed to operationalise the project.</li> <li>Established clarity about how to conceptualise the harm caused by IWT.</li> <li>Collected data to develop emerging international “floating standards” on how to sanction IWT I</li> </ul>	
<p><b>Outcome</b> Indonesian legal system demonstrates ability to better account for the harm that IWT causes society, pioneering approaches that will improve the global community’s understanding of IWT harm and ways to strengthen sanctions to deter future IWT and compensate for IWT harm.</p>	<p>0.1.1 First IWT civil liability case prepared by project completion (Y3, baseline=zero)</p> <p>0.1.2 Guidelines on establishing legal IWT damage claims are adopted by Indonesian government by the project completion (Y3)</p> <p>0.1.3 Three civil society groups apply new approaches to communicating IWT damages in their public communication strategies by project completion (Y2, Y3)</p>	<p>0.1.1 Started selection of “test case” site (Annex 4.9)</p> <p>0.1.2 Completed draft outline for the guidelines (Annex 4.10)</p> <p>0.1.3 Began networking with interested groups in 3 provinces (Annex 4.2). Notably, Titian Lestari Foundation in Pontianak, West Kalimantan have expressed interest in serving as a plaintiff on a case (see Annex 4.9).</p>	<p>0.1.1 Confirm “test case” site and collect of primary data / evidence needed to substantiate the damage claim.</p> <p>0.1.2 Refine guideline outline, and prepare content, with support of experts and drawing on specific case examples from the field.</p> <p>0.1.3 Network with civil society groups, via Auriga’s networks, in Jakarta and around our “test case” site.</p>
<p><b>Output 1.</b> There is a “best practice” standard available for IWT sanctions (civil, administrative and criminal)</p>	<p><b>1.1</b> New resource with the country comparison and “best practice” standard recommendations (Y1, baseline = there is not existing published guideline)</p> <p><b>1.2</b> Journal publication on IWT sanctions across jurisdictions (Y2, baseline = there is no similar published article)</p> <p><b>1.3</b> Presentation at &gt;3 international conferences (Y2, Y3)</p> <p><b>1.4</b> Dissemination in &gt;3 non-academic publications (e.g., newsletters, popular articles) (Y3)</p>	<p>1.1 Taxonomy of 496 IWT-related crimes for comparing IWT sanctions across countries developed (Annex 4.3)</p> <p>1.1 Data collected for 8 countries, covering 170 laws (Annex. 4.4)</p> <p>1.1 Draft data uploaded to Legal Atlas online platform (Annex 4.5)</p> <p>1.2 Baseline data collected (Annex. 4.4), and publication will be delivered in Y2</p> <p>1.3 WILDS presentation at Cambridge Conservation Initiative (Annex 4.11, slides available on request)</p> <p>1.3 Future opportunities identified (Section 3, under output 4.6)</p> <p>1.4 Y3 output.</p>	
<p>Activity 1.1 Extract civil, criminal and administrative IWT legislation for the 8 countries</p>		<ul style="list-style-type: none"> <li>Data extraction completed (Annex 4.3, 4.4), currently being reviewed</li> </ul>	<ul style="list-style-type: none"> <li>Review questionnaires and dataset by WILDS partners</li> <li>Complete summary table (current Annex 4.4 summary</li> </ul>



		table does not cover the whole dataset)
Activity 1.2 Establish the “best practices” standard for IWT sanctions	<ul style="list-style-type: none"> <li>Data collected and preliminary standards identified (Annex 4.3)</li> </ul>	<ul style="list-style-type: none"> <li>Complete “best practices” standard for a set of key IWT crimes (relies on finalising the dataset, based on the review referenced above)</li> </ul>
<p><b>Output 2.</b> The legal and technical clarity and resources are available to facilitate development of IWT civil liability damage claims.</p>	<p><b>2.1</b> &gt;50 Indonesian participants engaged in the expert workshops, focus groups and interviews from across sectors, prioritising gender equity (Y1/Y2)</p> <p><b>2.2</b> Guidelines for quantification IWT damage claims developed (end Y2, baseline = 1 government regulation articulates possible methods)</p> <p><b>2.3</b> Training resource on IWT sanctions, summarising application of the civil liability guidelines and sanctions standards, in English and Indonesian (Y3, baseline = 0)</p>	<p>2.1 Engaged 43 experts/organisations in Indonesia (Annex 4.2) and held a small workshop in Indonesia (Annex 4.1). We purposively engaged women in these activities, conscious of gender imbalance in economics and legal fields.</p> <p>2.2 Completed draft outline for guideline (Annex 4.10).</p> <p>2.3 Y3 output.</p>
Activity 2.1 Convene workshop in Lancaster with partners and key informants to conceptualise overall approach for calculating IWT damage claims and applying them in civil liability suits.	<ul style="list-style-type: none"> <li>Hosted 3 UK workshops (Annex 4.1)</li> </ul>	<ul style="list-style-type: none"> <li>Write up results of the April workshop</li> </ul>
Activity 2.2 Convene series of stakeholder and expert workshops and interviews with economists, legal experts and civil society in Indonesia to establish consensus on existing IWT sanctions, and on the key technical and legal challenges to operationalising civil liability suits for IWT.	<ul style="list-style-type: none"> <li>Hosted small workshop in Jakarta in March 2019 (Annex 4.1) and 43 targeted consultations (Annex 4.2).</li> <li>Developed a “menu” of legal options based on expert consultations (Annex 4.8).</li> </ul>	<ul style="list-style-type: none"> <li>More targeted consultations, notably with priority plaintiffs who will lead our test case, experts who can comment on the guidelines, species experts (orang-utan, hornbill, pangolin) who can help articulate the damage claim.</li> </ul>
Activity 2.3 Analyse existing IWT cases in Indonesia to evaluate how damage (economic and non-economic impacts) can be conceptualized and how these compare to existing sanction regimes.	<ul style="list-style-type: none"> <li>Completed background paper on damage claims for biodiversity (Annex 4.6) that considers IWT examples.</li> <li>Compilation of &gt;300 IWT cases that can be considered (Annex 4.9)</li> <li>Selection of 3 priority species as examples for this (hornbill, orang-utan, pangolin)</li> </ul>	<ul style="list-style-type: none"> <li>Selection of 2 case studies (likely hornbill and orang-utan) to map out stakeholders’ values for those species and how they can be recognised.</li> </ul>
Activity 2.4 Develop guidelines for quantification of IWT harm for civil liability cases, cases to help guide legal practitioners.	<ul style="list-style-type: none"> <li>Developed draft outline for guideline (Annex 4.10)</li> </ul>	<ul style="list-style-type: none"> <li>Finalise guideline based on expert consultations and other outputs</li> </ul>
Activity 2.5 Develop technical resources, i.e. slides for training material in English and	<ul style="list-style-type: none"> <li>Y3 output.</li> </ul>	

<p>Indonesian and <i>opini juris</i> (form of academic guidance to legal practitioners) that help to communicate the guidelines to practitioners.</p>		
<p>Activity 2.6 Data collected at case study field site, identifying different types of harm experienced at the local level that need to be included within an IWT damage claim. (more below, activity 5.2)</p>	<ul style="list-style-type: none"> <li>• Conducted extensive desk-based review of possible cases and collected documents and local stakeholder perspectives around possible cases at 3 sub-national sites (Annex 4.9)</li> </ul>	<ul style="list-style-type: none"> <li>• Scope and agree on final case study site</li> <li>• Agree on methods most appropriate for evaluating harm at this site</li> <li>• Develop, test and finalise research instruments</li> <li>• Hire appropriate expert consultants to support data-collection</li> <li>• Conduct intensive field-based data collection to inform damage claim</li> </ul>
<p><b>Output 3.</b> There is a body of Indonesian prosecutors, experts and judges able to operationalise civil liability cases for IWT, with the guidance to allow them to account for environmental and socio-economic dimensions.</p>	<p><b>3.1</b> Training materials developed (Y2)</p> <p><b>3.2</b> &gt;30 Indonesian prosecutors and judges engaged via expert workshops and interviews (Y1, Y2)</p> <p><b>3.3</b> 2 research collaborators from Ministry of Environment and Forests are actively involved throughout project design and implementation (Y1, Y2, Y3)</p> <p><b>3.4</b> Project resources integrated into 3 existing environmental training programmes for government officials (e.g., Supreme Court Environmental Certification Programme, WCS, IUU Task Force, UNDP SUSTAIN initiative, UNODC, Corruption Eradication Commission) (Y3)</p> <p><b>3.5</b> Reports from individual judges, experts and prosecutors themselves (Y3)</p>	<p>3.1 Y2-Y3 output.</p> <p>3.2 Y2 output.</p> <p>3.3 MoEF agreed to second 2-3 staff to allow for their collaboration in WILDS (Annex 4.7), with involvement targeted in Y2.</p> <p>3.4 Engaged 2 partners involved in judicial training and interested in drawing on WILDS resources (Annex 4.2)</p> <p>3.5 Y3 output.</p>
<p>Activity 3.1 Engage partner and boundary organisations in Indonesia to integrate guidelines into existing training schemes.</p>	<ul style="list-style-type: none"> <li>• Engaged &gt;43 partners and experts, including 2 organisations specifically involved in judicial training (Annex 4.2)</li> <li>• Established WILDS online partner engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Specifically engage organisations involved in judicial training to build interest in WILDS.</li> </ul>

		database to track relationships.	
Activity 3.2 Collaborate with researchers from Ministry of Environment and Forests, ensuring they are meaningfully engaged in project design and implementation.		<ul style="list-style-type: none"> <li>• Informal agreement reached to second 2-3 government staff to participate part-time on WILDS (Annex 4.7).</li> </ul>	<ul style="list-style-type: none"> <li>• Formalise agreements, and agree on specific areas of collaboration.</li> </ul>
Activity 3.3 Distribute findings and "proof-of-concept" via short articles in Indonesian government agency newsletters, editorials		<ul style="list-style-type: none"> <li>• Y3 output.</li> </ul>	
<p><b>Output 4.</b> Indonesian and international legal and environmental communities demonstrate awareness of emerging standards for IWT sanctions and the potential to use civil liability suits to account for environmental harm from IWT, including environmental and socio-economic impacts, for.</p>	<p><b>4.1</b> &gt;6 international newspaper reports/editorials that discuss environmental and socio-economic costs of IWT and related liabilities, and mention, relate and/or link to this project (Y2, Y3)</p> <p><b>4.2</b> &gt;20 Indonesian non-government participants involved in the expert workshops (Y2)</p> <p><b>4.3</b> &gt;10 Indonesian civil society groups engaged via courtesy calls to present result and encourage uptake (Y3)</p> <p><b>4.4</b> Results presented at &gt;3 international conferences (Y2, Y3)</p> <p><b>4.5</b> Two journal publications on project findings (Y3, baseline = 0)</p> <p><b>4.6</b> Civil liability for IWT "under discussion" within &gt;2 independent platforms that demonstrate outside uptake (Y3, baseline = 0)</p> <p><b>4.7</b> &gt;14 Legal and environmental groups in 7 target countries (beyond Indonesia) are actively engaged with project outputs (baseline = this is not currently a topic of discussion in these fora).</p>	<p>4.1 Y2, Y3 outputs.</p> <p>4.2 Engaged 11 civil society groups (Annex 4.2).</p> <p>4.3 Y3 output, although we have started networks (Annex 4.2).</p> <p>4.4 Presented project at Cambridge Conservation Initiative (Annex 4.11). 4.4 Identified 3 upcoming presentation opportunities (Section 3.1 Output 4.4). 4.5 Y3 output, drawing on data collected in Y1 (e.g., Annex 4.3, 4.4) and workshops (Annex 4.1).</p> <p>4.6 Y3 output, that will build on our existing partner engagement (Annex 4.2).</p> <p>4.7 Y3 output.</p> <p>4.8 Y3 output</p>	

	<b>4.8</b> >1 body (civil society, government) interested in pursuing a similar suit, inspired by this project (Y3).		
Activity 4.1 Distribute findings and "proof-of-concept" via short articles in Indonesian government agency newsletters.		<ul style="list-style-type: none"> <li>• Y3 output.</li> </ul>	
Activity 4.2 Engage Indonesian public via contribution of editorials and newspaper articles.		<ul style="list-style-type: none"> <li>• Y3 output.</li> </ul>	
Activity 4.3 Engage targeted Indonesian civil society groups via courtesy calls.		<ul style="list-style-type: none"> <li>• Engaged 11 organisations, most via in person meetings (Annex 4.2).</li> </ul>	<ul style="list-style-type: none"> <li>• Identify and engage (meeting, email) groups most likely to be interested in WILDS.</li> </ul>
Activity 4.4 Prepare journal publication on international sanctions regimes for IWT and proposing a "best practices standard".		<ul style="list-style-type: none"> <li>• Data collected (Annex 4.3, 4.4).</li> </ul>	<ul style="list-style-type: none"> <li>• Produce (Legal Atlas) public-facing report with key findings</li> <li>• PhD student (M.Rodriguez) leading academic publication.</li> </ul>
Activity 4.5 Prepare journal article on economic valuation of IWT harm and its use in civil liability suits for IWT cases.		<ul style="list-style-type: none"> <li>• Completed background report (Annex 4.6)</li> <li>• Convened workshop to explore this issue (Annex 4.1)</li> </ul>	<ul style="list-style-type: none"> <li>• Integrate findings into publication.</li> </ul>
Activity 4.6 Engage environmental law community in remaining 7 countries in the comparative study, via direct engagement via ELI, Auriga and LA professional networks		<ul style="list-style-type: none"> <li>• Y2, Y3 output.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify strategic opportunities and priority organisations for engagement.</li> </ul>
Activity 4.7 Engage international environmental law community via environmental law and conservation conferences		<ul style="list-style-type: none"> <li>• Presented project at Cambridge Conservation Initiative (Annex 4.11).</li> <li>• Identified 3 strategic opportunities (see above)</li> <li>• Y2, Y3 output.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify &gt;3 strategic, affordable opportunities for engagement.</li> </ul>
<b>Output 5.</b> Pioneering civil liability for IWT harm "test case" is developed in a way that captures environmental and socio-economic harm.	<p><b>5.1</b> Agreement for additional funding for Auriga from the Environmental Defender Law Centre (Y1)</p> <p><b>5.2</b> 'Step-by-step' timeline of how environmental civil suits should be filed in Indonesia</p>	<p>5.1 Funds were not secured, and uncertain (see narrative). 5.1 Recruited PhD student (M,Rodriguez) to work on WILDS. 5.1 In-kind Indonesian government contributions via secondment of staff (Annex 4.7)</p> <p>5.2 Draft guidelines on developing 'liability for environmental harm' suits (Annex 4.10). 5.2 Y2 output</p>	<ul style="list-style-type: none"> <li>• Share updates from field scoping with Environmental Defender Law Center, in effort to demonstrate matching priorities and recruit funding.</li> <li>• Work with Indonesian experts to determine and document a process/flow-diagram that illustrates the steps, and develop this into a practitioner-facing resource document.</li> </ul>

	<p><b>5.3</b> Established grounds for legal standing (i.e. right of Auriga to be the body to bring this specific claim to court) (Y2)</p> <p><b>5.4</b> Damage claim (part of petition to the court that quantifies the harm and the associated financial/non-financial claims made of the plaintiff) for “test case” that seeks to redress environmental and socio-economic impacts of IWT, including qualitative and/or quantitative measures and appropriate compensation (end Y2)</p> <p><b>5.5</b> Case submitted to the court (Y3)</p>	<p>5.3 Legal review on standing (Annex 4.8) 5.3 Stakeholder outreach to identify possible plaintiffs (Annex 4.9)</p> <p>5.4 Conducted scoping and research to identify viable case (Annex 4.9). 5.4 Engaged domestic and international experts to discuss strategic litigation to identify cases attributes most viable for suits (Annex 4.2) 5.4 Y2 output.</p> <p>5.5 Y3 end output.</p>	<ul style="list-style-type: none"> <li>• Further site scoping in Pontianak, W.Kalimantan and Medan, N.Sumatra, to identify most appropriate local plaintiff (government, NGO, community)</li> </ul>
<p>Activity 5.1 In collaboration with Wildlife Conservation Society, confirm an appropriate site for the test case</p>		<ul style="list-style-type: none"> <li>• Conducted desk- and field-based research to help with selection of test case (Annex 4.9)</li> <li>• Developed set of strategic selection criteria for these types of cases (see narrative)</li> <li>• Consulted with a broad range of experts on case selection (Annex 4.2)</li> </ul>	<ul style="list-style-type: none"> <li>• Scoping visit to priority sites, to aid in plaintiff and final site selection</li> </ul>
<p>Activity 5.2 Conduct scoping of field site and establish permissions and contacts to pursue data collection</p>		<ul style="list-style-type: none"> <li>• Established initial local contacts at prospective test case sites (Annex 4.9, Annex 4.2)</li> </ul>	<ul style="list-style-type: none"> <li>• Identify viable local-level plaintiff (ie. government agency, community group, NGO who can lodge the court case)</li> <li>• Obtain local government and community permissions to conduct research</li> </ul>
<p>Activity 5.3 Data collected at case study field site, identifying different types of harm experienced at the local level that need to be included within an IWT damage claim (Same as activity 2.6)</p>		<ul style="list-style-type: none"> <li>• Y2 output.</li> </ul>	<ul style="list-style-type: none"> <li>• See Activity 2.6.</li> </ul>
<p>Activity 5.4 Conduct economic and environmental assessments of IWT damages at field site.</p>		<ul style="list-style-type: none"> <li>• Y2 output.</li> </ul>	<ul style="list-style-type: none"> <li>• See Activity 2.6.</li> </ul>

<p>Activity 5.5 Prepare summary damage claim for the case</p>	<ul style="list-style-type: none"> <li>● Conducted background conceptual work to define how to develop damage claims for IWT (Annex 4.1)</li> <li>● Conducted background research on Indonesian legal system to determine how to develop claim (Annex 4.8).</li> </ul>	<ul style="list-style-type: none"> <li>● Develop draft damage claim based on fieldwork</li> <li>● Obtain expert advice, from lawyers in Indonesia and internationally, about the strength of the proposed claim.</li> </ul>
<p>Activity 5.6 Provide continued technical expertise to Auriga on the damage claim.</p>	<ul style="list-style-type: none"> <li>● Y3 output.</li> </ul>	
<p>Activity 5.7 Lodge court case</p>	<ul style="list-style-type: none"> <li>● Y3 output.</li> </ul>	

**Annex 2: Project's full current logframe as presented in the application form (unless changes have been agreed)**

Project summary	Measurable Indicators	Means of verification	Important Assumptions
<p><b>Impact:</b> Reduction in the commercial illegal wildlife trade in Indonesia, to improve judicial accountability and protect natural capital stocks that support biodiversity, rural livelihoods and wellbeing.</p>			
<p><b>Outcome:</b> Indonesian legal system demonstrates ability to better account for the harm that IWT causes society, pioneering approaches that will improve the global community's understanding of IWT harm and ways to strengthen sanctions to deter future IWT and compensate for IWT harm.</p>	<p>0.1.1 First IWT civil liability case prepared by project completion (Y3, baseline=zero)</p> <p>0.1.2 Guidelines on establishing legal IWT damage claims are adopted by Indonesian government by the project completion (Y3)</p> <p>0.1.3 Three civil society groups apply new approaches to communicating IWT damages in their public communication strategies by project completion (Y2, Y3)</p>	<p><b>0.1.1</b> WCS Wildlife Crimes Unit monitoring of IWT cases <b>0.1.1</b> Reports from the key government agencies (Task Force on IUU Fishing, Ministry of Environment and Forests). <b>0.1.1</b> Auriga internal documentation preparing the case.</p> <p><b>0.1.2</b> Copies of subsidiary legislation (e.g., related to Law #5, Treasury Dept. guidelines) make reference to quantification. <b>0.1.2</b> Reports from the key government agencies that guidelines are being discussed and used (e.g., Task Force on IUU Fishing, Ministry of Environment and Forests).</p> <p><b>0.1.3</b> Copies of online communication products from civil society groups in Indonesia and internationally (e.g., WCS, Friends of the Earth). <b>0.1.3</b> Meetings with and reports from civil society groups</p>	<p>1. Financial resources limit government agencies' ability to prepare environmental prosecution.</p> <ul style="list-style-type: none"> <li>Mitigation: Project highlights the potential for civil society to prepare cases, and matches the project with Auriga, which already has funding to pursue such a case.</li> </ul> <p>2. Cases are often slow to move through the judicial system.</p> <ul style="list-style-type: none"> <li>Mitigation: Monitoring should be long term, beyond project duration, led by WCS, which has long-term (since 2003) engagement and monitoring of IWT cases in Indonesia.</li> </ul> <p>3. Gaps within existing Indonesian regulations may limit civil liability (e.g., restrict the application of some types of liability, failure to collect awarded monies, failure to allocate money to conservation reinvestment).</p> <ul style="list-style-type: none"> <li>Mitigation: Project specifically works to identify these types of barriers and makes them the focus of expert workshops, guidelines and training.</li> </ul> <p>4. The Indonesian judicial system is limited by many factors (e.g., corruption).</p> <ul style="list-style-type: none"> <li>Mitigation: Even a small number of civil liability cases can make important impacts for governance and social signalling.</li> </ul> <p>5. Indonesian legal reform is often slow and unpredictable</p> <ul style="list-style-type: none"> <li>Mitigation: WCS and Auriga have long-term (beyond project</li> </ul>



			<p>duration) engagement in monitoring and informing environmental legislation, including Law #5.</p> <p>6. Agencies have the capacity and resources to conduct this additional work</p> <ul style="list-style-type: none"> <li>• Mitigation: Training and guideline resources seek to make this as accessible as possible. Currently, valuation and quantification are mentioned in several pieces of legislation, but without adequate support or guidance.</li> </ul> <p>7. Groups have the capacity and resources to conduct this additional work</p> <ul style="list-style-type: none"> <li>• Mitigation: We have existing expressions of interest from several civil society groups. We know that WCS Indonesia is prepared to engage this type of work.</li> </ul> <p>8. Stakeholder participate actively in related workshops and interviews</p> <ul style="list-style-type: none"> <li>• Mitigation: Auriga has extensive experience engaging government agents and civil society groups in workshops. Our team includes dynamic individuals with the ability and experience to actively engage participants.</li> </ul>
<p><b>Output 1.</b> There is a “best practice” standard available for IWT sanctions (civil, administrative and criminal)</p>	<p><b>1.1</b> New resource with the country comparison and “best practice” standard recommendations (Y1, baseline = there is not existing published guideline)</p> <p><b>1.2</b> Journal publication on IWT sanctions across jurisdictions (Y2, baseline = there is no similar published article)</p> <p><b>1.3</b> Presentation at &gt;3 international conferences (Y2, Y3)</p>	<p><b>1.1</b> Resource openly available on Legal Atlas website</p> <p><b>1.2</b> Publication copy</p> <p><b>1.3</b> Registration <b>1.3</b> Copy of presentation</p>	<p>Legislation needed to conduct the review is available</p> <ul style="list-style-type: none"> <li>• Mitigation: Legal Atlas has established networks and experience needed to collect this type of data. Local expertise in legal systems will be provided.</li> </ul>

	<p><b>1.4</b> Dissemination in &gt;3 non-academic publications (e.g., newsletters, popular articles) (Y3)</p>	<p><b>1.4</b> Publication copies</p>	
<p><b>Output 2.</b> The legal and technical clarity and resources are available to facilitate development of IWT civil liability damage claims.</p>	<p><b>2.1</b> &gt;50 Indonesian participants engaged in the expert workshops, focus groups and interviews from across sectors, prioritising gender equity (Y1/Y2)</p> <p><b>2.2</b> Guidelines for quantification IWT damage claims developed (end Y2, baseline = 1 government regulation articulates possible methods)</p> <p><b>2.3</b> Training resource on IWT sanctions, summarising application of the civil liability guidelines and sanctions standards, in English and Indonesian (Y3, baseline = 0)</p>	<p><b>2.1</b> Participant lists  <b>2.1</b> Gender disaggregated data on participation  <b>2.1</b> Photographs from events  <b>2.1</b> Internal documentation on successful engagements and challenges, focused on gender equity  <b>2.1</b> Feedback form from key workshops</p> <p><b>2.2</b> Guidelines published</p> <p><b>2.3</b> Resources published in English and Indonesian</p>	<p>1. There is scope and receptiveness to innovations in the ways people think about and deal with IWT cases</p> <ul style="list-style-type: none"> <li>● Mitigation: Current developments suggest a receptive audience within government, notably related to the current revision of Law #5 on Biodiversity, which includes reference to quantification of environmental harm.</li> <li>● Mitigation: Project also engages with existing administrative and criminal sanctions, so that focus is not exclusively on novel pathways linked to civil liability.</li> <li>● Mitigation: Workshop organisers are dynamic and able to elicit meaningful participation.</li> </ul> <p>2. There may be resistance to the valuation of some types of ecosystem goods and services, which can be complex and can be contested (e.g., contingent valuation), particularly in the context of courtroom application</p> <ul style="list-style-type: none"> <li>● Mitigation: Specific barriers will be evaluated via the interviews with judges, and is why training and broad engagement with relevant bodies and the public is needed.</li> <li>● Mitigation: Project also looks at the value of quantifying harm from IWT <i>beyond</i> its courtroom applications, so it will yield benefits in terms of communication to the public and government agencies even outside the courtroom.</li> </ul>

<p><b>Output 3.</b> There is a body of Indonesian prosecutors, experts and judges able to operationalise civil liability cases for IWT, with the guidance to allow them to account for environmental and socio-economic dimensions.</p>	<p><b>3.1</b> Training materials developed (Y2)</p> <p><b>3.2</b> &gt;30 Indonesian prosecutors and judges engaged via expert workshops and interviews (Y1, Y2)</p> <p><b>3.3</b> 2 research collaborators from Ministry of Environment and Forests are actively involved throughout project design and implementation (Y1, Y2, Y3)</p> <p><b>3.4</b> Project resources integrated into 3 existing environmental training programmes for government officials (e.g., Supreme Court Environmental Certification Programme, WCS, IUU Task Force, UNDP SUSTAIN initiative, UNODC, Corruption Eradication Commission) (Y3)</p> <p><b>3.5</b> Reports from individual judges, experts and prosecutors themselves (Y3)</p>	<p><b>3.1</b> Project outputs</p> <p><b>3.2</b> Participant lists</p> <p><b>3.2</b> Gender disaggregated data</p> <p><b>3.2</b> 'Impact log' with documentation on successful engagements and challenges, focused on gender equity</p> <p><b>3.2</b> Constructive feedback on the project approach from &gt;8 active judges, via interviews and/or emails/calls</p> <p><b>3.3.</b> Hours logged participating in the project</p> <p><b>3.3</b> Key informant interviews post-engagement</p> <p><b>3.3</b> Exit interview</p> <p><b>3.3</b> Exit report from the researchers demonstrating deep understanding of approaches to preparing damage claims for IWT cases.</p> <p><b>3.3</b> Photographs of join fieldwork</p> <p><b>3.4</b> Input from boundary partners on their training materials</p> <p><b>3.5</b> Key informant interviews post-engagement</p>	<p>1. Relies on the continued buy-in from the legal community and specific government agencies and successful engagement with partners.</p> <ul style="list-style-type: none"> <li>• Mitigation: Partners have existing, long-term relationships with key agencies</li> <li>• Mitigation: We have existing communication with several government agencies and have received confirmation of their interest in these new resources.</li> </ul> <p>2. Relies on individuals to take-up these new resources and ideas</p> <ul style="list-style-type: none"> <li>• Mitigation: Project focuses not only on institutional mandates but on individuals' specific understanding and engagement with these concepts. This deeper and longer-term engagement is important to recruiting buy-in.</li> <li>• Mitigation: Project includes participation of researchers from Ministry of Environment and Forests</li> <li>• Mitigation: Project works with existing partnerships with government agents</li> </ul>
<p><b>Output 4.</b> Indonesian and international legal and environmental communities demonstrate awareness of emerging standards for IWT sanctions and the potential</p>	<p><b>4.1</b> &gt;6 international newspaper reports/editorials that discuss environmental and socio-economic costs of IWT and related liabilities, and mention,</p>	<p><b>4.1</b> Media searches and article copies</p>	<p>The broader community continues to recognize the importance of IWT and related prosecutions.</p>

<p>to use civil liability suits to account for environmental harm from IWT, including environmental and socio-economic impacts, for.</p>	<p>relate and/or link to this project (Y2, Y3)</p> <p><b>4.2</b> &gt;20 Indonesian non-government participants involved in the expert workshops (Y2)</p> <p><b>4.3</b> &gt;10 Indonesian civil society groups engaged via courtesy calls to present result and encourage uptake (Y3)</p> <p><b>4.4</b> Results presented at &gt;3 international conferences (Y2, Y3)</p> <p><b>4.5</b> Two journal publications on project findings (Y3, baseline = 0)</p> <p><b>4.6</b> Civil liability for IWT “under discussion” within &gt;2 independent platforms that demonstrate outside uptake (Y3, baseline = 0)</p> <p><b>4.7</b> &gt;14 Legal and environmental groups in 7 target countries (beyond Indonesia) are actively engaged with project outputs (baseline = this is not currently a topic of discussion in these fora).</p> <p><b>4.8</b> &gt;1 body (civil society, government) interested in pursuing a similar suit, inspired by this project (Y3).</p>	<p><b>4.2</b> Participant lists</p> <p><b>4.2</b> Feedback form from workshop participants focused on quality of engagement and value of the project</p> <p><b>4.2</b> Workshop photographs</p> <p><b>4.3</b> Meeting reports</p> <p><b>4.4</b> Conference documentation</p> <p><b>4.5</b> Copies of publications freely available online</p> <p><b>4.6</b> Online search results</p> <p><b>4.6</b> Reports from international colleagues of external engagement</p> <p><b>4.7</b> Email documentation</p> <p><b>4.7</b> Impact log documenting “relationship status”</p> <p><b>4.8</b> Email documentation</p> <p><b>4.8</b> Actual case or case plan</p>	
<p><b>Output 5.</b> Pioneering civil liability for IWT harm “test case” is developed in a way that captures environmental and socio-economic harm.</p>	<p><b>5.1</b> Agreement for additional funding for Auriga from the Environmental Defender Law Centre (Y1)</p> <p><b>5.2</b> ‘Step-by-step’ timeline of how environmental civil</p>	<p><b>5.1</b> MOU between Auriga and the Centre</p> <p><b>5.2</b> Internal report</p>	<p>1. There is a viable legal case and plaintiff that can be identified</p> <ul style="list-style-type: none"> <li>• Mitigation: WCS works on IWT across Indonesia, often in cooperation with affected communities and agencies, and is</li> </ul>

	<p>suits should be filed in Indonesia</p> <p><b>5.3</b> Established grounds for legal standing (i.e. right of Auriga to be the body to bring this specific claim to court) (Y2)</p> <p><b>5.4</b> Damage claim (part of petition to the court that quantifies the harm and the associated financial/non-financial claims made of the plaintiff) for “test case” that seeks to redress environmental and socio-economic impacts of IWT, including qualitative and/or quantitative measures and appropriate compensation (end Y2)</p> <p><b>5.5</b> Case submitted to the court (Y3)</p>	<p><b>5.3</b> Legal brief articulating context and claim, nature of harm, and relevant regulations</p> <p><b>5.4</b> Formal dossier of legal evidence informing what will be asked of the plaintiff, based on field-site research, prepared.</p> <p><b>5.5</b> Case registration number</p>	<p>positioned to help identify potential cases.</p> <ul style="list-style-type: none"> <li>• Mitigation: Auriga has considerable experience with investigative research and the legal expertise to pioneer this type of case.</li> <li>· There are appropriate qualitative and quantitative measures for establishing a damage claim that are scientifically sound and legally acceptable.</li> </ul>
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**Activities** (each activity is numbered according to the output that it will contribute towards, for example 1.1, 1.2 and 1.3 are contributing to Output 1)

Activity 1.1 Extract civil, criminal and administrative IWT legislation for the 8 countries

Activity 1.2 Establish the “best practices” standard for IWT sanctions

Activity 2.1 Convene workshop in Lancaster with partners and key informants to conceptualise overall approach for calculating IWT damage claims and applying them in civil liability suits.

Activity 2.2 Convene series of stakeholder and expert workshops and interviews with economists, legal experts and civil society in Indonesia to establish consensus on existing IWT sanctions, and on the key technical and legal challenges to operationalising civil liability suits for IWT

Activity 2.3 Analyse existing IWT cases in Indonesia to evaluate how damage (economic and non-economic impacts) can be conceptualized and how these compare to existing sanction regimes.

Activity 2.4 Develop guidelines for quantification of IWT harm for civil liability cases, cases to help guide legal practitioners.

Activity 2.5 Develop technical resources, i.e. slides for training material in English and Indonesian and *opini juris* (form of academic guidance to legal practitioners) that help to communicate the guidelines to practitioners.

Activity 2.6 Data collected at case study field site, identifying different types of harm experienced at the local level that need to be included within an IWT damage claim. (more below, activity 5.2)

Activity 3.1 Engage partner and boundary organisations in Indonesia to integrate guidelines into existing training schemes.

Activity 3.2 Collaborate with researchers from Ministry of Environment and Forests, ensuring they are meaningfully engaged in project design and implementation.

Activity 3.3 Distribute findings and "proof-of-concept" via short articles in Indonesian government agency newsletters, editorials

Activity 4.1 Distribute findings and "proof-of-concept" via short articles in Indonesian government agency newsletters.

Activity 4.2 Engage Indonesian public via contribution of editorials and newspaper articles.

Activity 4.3 Engage targeted Indonesian civil society groups via courtesy calls

Activity 4.4 Prepare journal publication on international sanctions regimes for IWT and proposing a “best practices standard”.

Activity 4.5 Prepare journal article on economic valuation of IWT harm and its use in civil liability suits for IWT cases.

Activity 4.6 Engage environmental law community in remaining 7 countries in the comparative study, via direct engagement via ELI, Auriga and LA professional networks.

Activity 4.7 Engage international environmental law community via environmental law and conservation conferences

Activity 5.1 In collaboration with Wildlife Conservation Society, confirm an appropriate site for the test case

Activity 5.2 Conduct scoping of field site and establish permissions and contacts to pursue data collection

Activity 5.3 Data collected at case study field site, identifying different types of harm experienced at the local level that need to be included within an IWT damage claim (Same as activity 2.6)

Activity 5.4 Conduct economic and environmental assessments of IWT damages at field site.

Activity 5.5 Prepare summary damage claim for the case

Activity 5.6 Provide continued technical expertise to Auriga on the damage claim.

Activity 5.7 Lodge court case

## **Annex 3 Standard Measures**

NA



## Checklist for submission

	Check
<b>Is the report less than 10MB?</b> If so, please email to <a href="mailto:IWT-Fund@ltsi.co.uk">IWT-Fund@ltsi.co.uk</a> putting the project number in the subject line.	Yes
<b>Is your report more than 10MB?</b> If so, please discuss with <a href="mailto:IWT-Fund@ltsi.co.uk">IWT-Fund@ltsi.co.uk</a> about the best way to deliver the report, putting the project number in the subject line.	NA
<b>Have you included means of verification?</b> You need not submit every project document, but the main outputs and a selection of the others would strengthen the report.	Yes
<b>Do you have hard copies of material you want to submit with the report?</b> If so, please make this clear in the covering email and ensure all material is marked with the project number.	NA
Have you involved your partners in preparation of the report and named the main contributors	Yes
Have you completed the Project Expenditure table fully?	Yes, but please see note below Section 15, Table 1
Do not include claim forms or other communications with this report.	