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# **IWTR9S2\1002**

## **Conservation Litigation & Wildlife (CLAW)**

IWT causes cascading harms that are rarely accounted for by traditional enforcement. We use strategic liability lawsuits to demand that high-level violators be held responsible for providing remedies to fix the harms they cause. Laws in many countries already allow this – but are not yet operationalised for biodiversity. We will build a global movement of conservation lawsuits, leading precedent-setting cases in Indonesia, Cameroon and India. We will also lay the groundwork and build capacity for future lawsuits globally.

## PRIMARY APPLICANT DETAILS

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**Name** Jacob

**Surname** Phelps

**Website (Other)** [REDACTED]

**Tel (Work)** [REDACTED]

**Email (Personal)** [REDACTED]

**Address** [REDACTED]

[REDACTED]

# IWTR9S2\1002

Conservation Litigation & Wildlife (CLAW)

## Section 1 - Contact Details

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### PRIMARY APPLICANT DETAILS

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**Name** Jacob  
**Surname** Phelps  
**Website (Other)** [REDACTED]  
**Tel (Work)** [REDACTED]  
**Email (Personal)** [REDACTED]  
**Address** [REDACTED]  
[REDACTED]  
[REDACTED]

### GMS ORGANISATION

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Type	Organisation
<b>Name</b>	Lancaster Environment Centre, Lancaster University (LU)
<b>Phone (Mobile)</b>	[REDACTED]
<b>Email (Work)</b>	[REDACTED]
<b>Website (Work)</b>	[REDACTED]
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]

Type	General
<b>Name</b>	Lancaster University
<b>Phone (Mobile)</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]

## Section 2 - Objectives, Species & Summary

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### Q3. Title:

Conservation Litigation & Wildlife (CLAW)

### What was your Stage 1 reference number? e.g. IWTR9S1\1001

IWTR9S1\1014

### Q4. Which of the four key IWT Challenge Fund objectives will your project

## address?

Please tick all that apply. Note that projects supporting more than one will not achieve a higher score.

- Ensuring effective legal frameworks and deterrents
- Strengthening law enforcement

## Q5. Species project is focusing on

Where there are more than four species that will benefit from the project's work, please add more boxes using the selection option below.

Sumatran Orangutan ( <i>Pongo abelii</i> )	Indian Elephant ( <i>Elephas maximus indicus</i> )
Nigeria-Cameroon Chimpanzee ( <i>Pan troglodytes elliotii</i> )	Sunda Pangolins ( <i>Manis javanica</i> )

### Do you require more fields?

- Yes

The legal strategies we are pioneering are not species-specific. Individual threatened species (listed above) will benefit significantly as a result of our legal actions, and an additional major benefit of the project is that the legal strategies we develop can be used for species and in contexts well beyond this project.

*No Response*

*No Response*

*No Response*

## Q6. Summary

Please provide a brief summary of your project, its aims, and the key activities you plan on undertaking. Please note that if you are successful, this wording may be used by Defra in communications e.g. as a short description of the project on the website.

Please write this summary for a non-technical audience.

IWT causes cascading harms that are rarely accounted for by traditional enforcement. We use strategic liability lawsuits to demand that high-level violators be held responsible for providing remedies to fix the harms they cause. Laws in many countries already allow this – but are not yet operationalised for biodiversity. We will build a global movement of conservation lawsuits, leading precedent-setting cases in Indonesia, Cameroon and India. We will also lay the groundwork and build capacity for future lawsuits globally.

## Section 3 - Title, Dates & Budget Summary

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### Q7. Country(ies)

Which eligible host country(ies) will your project be working in? Where there are more than four countries that your project will be working in, please add more boxes using the selection option below.

Country 1 Cameroon

Country 2 Indonesia

Country 3 India

Country 4 Philippines

Do you require more fields?

Yes

Country 5 Brazil

Country 6 Mexico

Country 7 Zambia

Country 8 Zimbabwe

### Q8. Project dates

Start date:

01 April 2023

End date:

01 March 2026

Duration (e.g. 2 years, 3 months):

3 years

### Q9. Budget summary

Year: 2023/24 2024/25 2025/26 Total request

Amount:

██████████

██████████

██████████

█  
██████████

Q10. Proportion of IWT Challenge Fund budget expected to be expended in eligible countries: %

█

Q11a. Do you have matched funding arrangements?

Yes

What matched funding arrangements are proposed?

DLA Piper Pro-Bono Office: [REDACTED] in technical services (legal analyses, strategic advice, litigation strategy, convening meetings).

Orangutan Outreach: [REDACTED] funding for litigators in Indonesia

ARCUS Foundation: [REDACTED] funding for legal analyses

LU: [REDACTED] staff + Lead will be on 6-month sabbatical in 2023 dedicated fully to IWTCF

LAW: [REDACTED] half in staff time and half in overhead

ICEL: [REDACTED] in staff time and overhead

ELI: [REDACTED] staff

LAGA [REDACTED] in staff and for litigation as part of existing criminal prosecution

Bright Tide: [REDACTED] to convene legal "hackathon"

**Q11b. Total confirmed & unconfirmed matched funding (£)** [REDACTED]

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Q11c. If you have a significant amount of unconfirmed matched funding, please clarify how you fund the project if you don't manage to secure this?

The unmatched funding is associated with additional legal support (i.e. approx [REDACTED] of DLA Piper contribution). This is contingent on them identifying staff in the relevant countries who are interested and able to contribute pro-bono. However, to date, we have had good success identifying DLA colleagues in relevant countries, so we anticipate this will go ahead. If they are not able to, we have legal network that can help provide support, including other law firms who have offered pro-bono services.

## **Section 4 - Problem statement & Gap in existing approaches**

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### **Q12. Project stage**

**With reference to the application guidance, please select the relevant project stage.**

Main

### **Q13. Problem the project is trying to address**

**Please describe the problem your project is trying to address in terms of illegal wildlife trade and its relationship with poverty. Please describe the level of threat to the species concerned. Please also explain which communities are affected by this issue, and how this aspect of the illegal trade in wildlife relates to poverty or efforts of people and/or states to reduce poverty.**

**Please cite the evidence you are using to support your assessment of the problem (references can be listed in your additional attached PDF document).**

IWT causes serious, cascading—but often overlooked—harms that affect biodiversity, human wellbeing and ecosystems across scales (1,8,9):

- Threatening the survival of endangered species focal to CLAW cases, including Indian elephants (EN), chimpanzees (EN), Sunda pangolins (CR) and Sumatran orangutans (CR)

- Injuring individual animals, which often end up in publicly-funded rehabilitation centers (e.g., orangutans (10)
  - Exacerbating rural poverty for households reliant on wildlife through ecotourism, in our core countries, include Indian elephant (11) and Cameroonian chimpanzee (12), and for nutrition (e.g., fish, 13)
  - Compromising human wellbeing in the core countries, harming non-monetary “intangible” values for wildlife such as cultural, religious, and existence values (e.g., elephants in India, 14, orangutan in Indonesia, 15). Critical to humans, there are now calls for policy and enforcement to better recognise them (see IPBES, 5,16);
- Degrading ecosystem goods and services upon which humans rely (e.g., carbon, pollination, 1) often disproportionately affecting women and marginalised groups reliant on wild resources (9).
- Pressuring under-resourced government conservation budgets and stealing taxes from legal revenues (1).

This problem is that the diversity and magnitude of these harms are overlooked by traditional criminal enforcement, which is focused on punishing violators with fines and imprisonment (17,18). Such traditional sanctions are often low relative to the benefits of IWT (19), and fail to hold violators accountable for the harm they cause, and leave harm unresolved. This means nature and communities are rarely remedied—exacerbating poverty, injustice and environmental degradation (1). Moreover, traditional IWT enforcement projects globally have often focused on small-scale and local-level violators, risking an over-criminalisation of IWT (17,20).

There is a need for additional, strategic legal approaches that better align our conservation, poverty reduction and social equity goals. This requires a shift from only focusing on punishment and deterrence, to also consider how the law can hold violators accountable in ways that provide remedies, serve justice and deliver meaningful social signals that helps shift public understanding of IWT (1). In particular, IWT violators should be responsible for healing the harm they cause: footing the bill for conservation, compensating poor communities whose livelihoods were impacted, and delivering meaningful remedies for harm to wellbeing.

Our project does this through strategic liability litigation in IWT cases, as complementary and additional to traditional criminal enforcement. Relevant laws exist in many countries (8), but have rarely been used to address IWT (1). CLAW presents an opportunity to build on our growing courtroom experience (21, Appendix 2) to demonstrate how these laws can provide more meaningful responses to IWT, at a scale that can attract meaningful global attention (22). We have NGO and government requests from >8 countries, to support both new court cases and help revise national legislation (Appendix 2).

The short animation, “Pongo the Stolen Orangutan: How Law can Heal” provides a synthetic description of the gap we address: [www.conservation-litigation.org](http://www.conservation-litigation.org).

## Q14. Gap in existing approaches

**What gap does your project fill in existing approaches? Evidence projects should describe how the improved evidence base will be used to design an intervention and the gap the intervention will fill. Extra projects should also provide evidence of the intervention’s success at a smaller scale.**

There are many IWT enforcement projects, but ours is the first to strategically apply liability laws to IWT. This is a major innovation in conservation and environmental law because - especially across the Global South - most practitioners are unfamiliar with liability laws (15). Occasionally used in pollution cases, these laws are almost never used to address IWT or protect biodiversity(1). In response, CLAW will:

- Develop pioneering IWT lawsuits with local partners in 3 core countries: Cameroon, Indonesia, India. This draws on our growing courtroom experience (21, Appendix 2), noting that there are few other groups with

relevant experience.

-Create practical resources and training for in-country IWT and legal practitioners globally to understand the development of novel lawsuits. This includes case-selection framework, risk-mitigation framework, and baseline legal analyses in 9 countries to make accessible “crib sheets” so that conservationists, lawyers, government prosecutors and communities better understand their rights and case development.

-Convene a global Community of Practice for those involved in cases to exchange experiences, information and provide mutual support.

-Generate publicity for new IWT cases so they send powerful social signals to the public, decision-makers and other violators that can shift the ways in which they view IWT harms.

## Section 5 - Objectives & Commitments

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### Q15. Which national and international objectives and commitments does this project contribute towards?

**Consider national plans such as NBSAPs and commitments such as London Conference Declarations and the Kasane and Hanoi Statements. Please provide the number(s) of the relevant commitments and some brief information on how your project will contribute to them. There is no need to include the text from the relevant commitment.**

Principle 13, 1992 UN Rio Declaration: Following calls for parties to establish liability and compensation for the victims of environmental damage, these laws now exist in many countries but are rarely implemented – which CLAW actively addresses, introducing their use for IWT and biodiversity conservation.

London Declaration 2018 (7,8): CLAW actively and formally highlights the diverse, but often hidden impacts of IWT on livelihoods, government budgets, society, ecosystems, etc. As stated in the Declaration, it is important to highlight these impacts.

Hanoi and Kasane Declaration Action C, London 2018 (9), and London Declaration 2014 commitment 16: CLAW strengthens enforcement against IWT offenders. Importantly, it does this by introducing novel, multidisciplinary, high-profile and high-burden approach to developing cases against IWT kingpins. CLAW introduces an entirely new category of enforcement strategies for conservation that strongly complement mainstream approaches that radically increase the deterrence effects over traditional enforcement approaches. Introducing liability strategies is important to “ensure we deploy the full range of tools and techniques”.

London Declaration 2018 commitments 14,15,16: CLAW builds a Community of Practice that is key to working in partnership. It will empower scientists, state and non-state plaintiffs, legal practitioners and government officials across agencies to engage with CL by building momentum, providing training, sharing resources, enabling practitioner-to-practitioner advice across cases/countries, and linking lawyers to future cases. We will also publicise CL globally to advise people on their rights to bring CL cases

## Section 6 - Method, Change Expected, Gender & Exit Strategy

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### Q16. Methodology



**Describe the methods and approach you will use to achieve your intended Outcome and contribute towards your Impact. Provide information on:**

- How have you reflected on and incorporated evidence and lessons learnt from past and present activities and projects in the design of this project?
- The need for this work and a justification of your proposed approach.
- How you will undertake the work (materials and methods).
- How you will manage the work (roles and responsibilities, project management tools, risks etc.).

Please see Conceptual Figure (Appendix 1):

**Build Global Conservation Litigation Movement:**

We will create the resources and convene a community of lawyers, scientists, government, NGOs, journalists and student to scale-up litigation.

1A. Convene Community of Practice of plaintiffs, scientists and lawyers to build momentum, provide training, resources and support across cases/countries.

1B. Develop new resources to reduce barriers for future cases:

- Lessons learned report by practitioners
- Risk-mitigation framework
- Case-selection framework
- 1st global database of cases to serve as examples

1C. Publicise cases via social and public media globally to build profile and advise people of their rights.

1D. Develop "model" liability legislation to help countries update laws.

1E. Convene partners in-person/online to share lessons about developing novel cases

**Litigation in Action in Cameroon, India and Indonesia**

Precedent-setting lawsuits in 3 core countries will demonstrate how strategic litigation supports biodiversity, livelihoods and wellbeing.

2A. Lead pioneering strategic lawsuits, prioritising high-profile cases that protect endangered species, reduce poverty and remedy "intangible" aspects of human wellbeing. Cases will be coordinated via CLAW partners in each core country, with government agencies acting as official plaintiffs. CLAW will support with legal expertise, risk mitigation, expert witnesses, scientific support, funding, and technical resources to litigate.

2B. Convene workshops in 3 core countries to clarify the socio-legal realities of operationalising cases. This will review domestic legislation and cases to identify what practitioners think is appropriate/possible in each country's courts.

**Plant Seeds for Future Cases in 6+ Countries: Philippines, Mexico, Uganda, Brazil, Zimbabwe, Zambia**

We will undertake the baseline work needed to facilitate future cases across 6 additional countries.

3A. Lead novel legal analyses in all 9 countries in cooperation with domestic lawyers, and create country-specific reports and "crib sheets" that accessibly explain legal rights and procedures for developing future cases.

3B. Host virtual stakeholder engagement workshop in the 6 countries and globally

3C. Engage with prospective plaintiffs to "plant the seeds" for future cases, via targeted calls with >20 potential plaintiffs to discuss opportunities

3D. Global call for prospective plaintiffs to apply for 3 seed funding grants to develop new cases using CLAW resources and community.

**Lessons:**

CLAW incorporate lessons from our last IWTCF project:

Case development should be practical and achievable, so we developed a streamlined and replicable approach to case development

Existing liability laws are often weakly understood, so, we developed a new check-list to facilitate legal analyses and make it more accessible to non-lawyers

Cases can present risks, so we are developing a new risk-mitigation framework to guide best practices  
Very few groups are doing similar work, so our Community of Practice is important for sharing lessons, providing training and supporting one another.

Understanding of liability laws is often weak so targeted engagement is important to introducing concepts and encouraging action.

Cases should be strategic, high-visibility and safe, so we have developed a case-selection framework, Board of Advisors and media plan to ensure strategic selection.

Justification:

Although legally-possible in many countries, liability has been overlooked for its potential to address IWT. Operationalising people's right to sue for wildlife has many benefits (see Theory of Change). Doing this requires demonstrating that the approach is feasible in court globally (Output 3). Because CL is unfamiliar to most practitioners, it also requires practical resources to reduce the technical barriers for action (Output 2). It also requires recruiting practitioners to understand their use (Output 4), and supporting practitioners through the process of developing their 1st cases (Output 1). We will do this in low-income IWT priority countries, focused on places with existing laws that are most promising. We also focus on the global level because strategic litigation is broadly relevant and can be scaled-up to address biodiversity challenges globally.

Management:

LU will provide overall management, strategy and coordination-including quarterly Board meetings of all partners, and as-needed Board of Advisors calls. At L.a.W, three colleagues will support LU with day-to-day management of the partners, public engagement and Community of Practice, resource development, collecting evidence and reporting. They will also provide technical expertise for all the legal analyses. Partners in the 3 core countries will lead on developing CL lawsuits, will engage in the Community of Practice and help develop technical resources. ELI will provide specialist technical support. Daily project communication will be via email and WhatsApp, as well as a Slack group that we have used during previous projects. Shared GoogleDrive folders will be used across all the Partners to share documents, track progress and compile evidence.

## Q17. Capability and Capacity

**How will you support the strengthening of capability and capacity in the project countries at organisational or individual levels, please provide details of what form this will take and the post-project value to the country.**

Partners in 3 core countries: CLAW will support partners to co-develop resources and cases, capacitating them to support future strategic lawsuits for IWT and other types of environmental harm. This was demonstrated during our last IWTCF project where a partner with no previous experience is now supporting cases of its own.

Government authorities in 5+ countries: We have existing contacts with government authorities who hold the legal authority to bring forward these suits in India, Cameroon and Indonesia, and have senior government contacts in Zambia and Zimbabwe. We will help these authorities understand and access their legal rights, supporting them to bring forward cases via the partners.

Support to 3 other organisations: CLAW will support 3 additional groups (through 3 seed-fund grants) in eligible countries to begin undertaking their own cases with our support. As above, this will create new capacity and capability for groups to explore how liability cases can be strategically operationalised to tackle IWT in their countries.

Community of Practice: Technical workshops and resources will build not only capacity but empower others to action, such as training lawyers to undertake legal analyses and develop novel cases; connecting scientific expert witnesses across countries so that they can share tips and encouragement, and linking plaintiffs across countries so they can share strategies.

Individuals: CLAW will create specific opportunities for at least 3 early-career women in the core countries, making them national authorities on this new legal strategy and facilitating international networking.

Knowledge Products: These will be generated with, and for end-users, harvesting both technical information and practitioners' experience to make future cases more robust. They will be available free online.

Publicising citizens' rights: Disseminating via media, online and technical resources in 9 countries will make citizens aware of their legal rights and, where possible, empower others to action.

## Q18. Gender equality

**All applicants must consider whether and how their project will contribute to reducing inequality between persons of different gender. Explain how your understanding of gender equality within the context your project, and how is it reflected in your plans.**

IWT causes many types of harms, some of which are uniquely experienced by women (9). This includes livelihoods and nutrition reliant on biodiversity harmed by IWT, as well as diverse harms to wellbeing that are often gendered (e.g., culture, sense of place, bequest to future generations). These values are often dismissed as "intangible" by mainstream narratives focused on economic values (16). CLAW seeks remedies for these more diverse values, important to developing meaningful enforcement responses (1). Moreover, we prioritise cases where the potential remedies are most meaningful for marginalised groups, including women. Such formal legal acknowledgment is key to recognition.

We will also increase women's voices. CLAW will empower people to understand their legal rights, and create accessible resources that increase access to justice—including among women as plaintiffs themselves in our cases, and among NGOs and agencies acting behalf of women who have claims for harm to biodiversity that can be reflected in future suits (23).

We are a women-dominated team, including leadership roles at LaW, ICEL and ELI. Women are already playing a prominent role in shaping the overall CLAW approach. They will also be involved in public engagement, public-facing and academic writing, and international networking, creating professional opportunities within and outside their countries. This is significant given that law is male-dominated.

We will engage other women to work on our country teams, including the legal analyses in the 9 countries, litigation, training and outreach. We have already identified women lawyers to collaborate in Cameroon, Indonesia, Zambia and Zimbabwe, and gender equity will be an explicit goal, communicated to all of the partners.

If partners have concerns related to gender, equity and diversity that they cannot raise within their own organisation or with the Lead, Prof. Christina Hicks, former ATHENA-Swan coordinator, will serve as an external resource.

## Q19. Change expected

**Detail the expected changes to both illegal wildlife trade and poverty reduction this work will deliver.**

**You should identify what will change and who will benefit, considering both people and species of focus a) in the short-term (i.e. during the life of the project) and b) in the long-term (after the project has ended).**

**When talking about how people will benefit, please remember to give details of who will benefit, differences in benefits by gender or other layers of diversity within stakeholders, and the number of beneficiaries expected. The number of communities is insufficient detail – number of households should be the largest unit used. Demand reduction projects should demonstrate their indirect links to poverty reduction.**

Short-term:

Through the lawsuits in Indonesia, India, Cameroon, and the 3 “seed-funded” cases, CLAW will benefit

- Endangered species, with monies recovered from defendants reinvested into in-situ conservation.
- Rural communities whose livelihoods and wellbeing are harmed by IWT, prioritising cases that benefit marginalised and poor communities. Cases will seek financial compensation where livelihoods are directly harmed. We will also provide the 1st legal recognitions for IWT harm to wellbeing, including for “invaluable” values that are often overlooked but “may have the highest value,”(16), like money reinvested into cultural and educational activities.
- Individual animals, with monies reinvested into rehabilitation/release.
- Governments, NGOs and rehabilitation centres that incur costs from IWT, will have those burdens legally recognised and compensated.
- Global citizens – including in UK – who, even if not connected to these cases, are concerned with accountability, and biodiversity’s intrinsic and existence values.

The project will empower >250 stakeholders across the 9 countries to take legal action (lawyers, judges, community representatives, students, scientists and plaintiffs) through the Community of Practice, trainings and resources.

CLAW offers the broader conservation community a new legal tool. It will bring systemic changes to how we think about legal responses to IWT, introducing new approaches that complement existing practice, but also better align IWT enforcement with poverty-reduction, gender equality, justice and sustainability goals, and lower the barriers to justice for future cases representing species, communities and governments.

Long-term:

The remedies described above are legally-possible, but rarely operationalised. As such, we are “planting seeds” for entirely new legal responses to environmental harm. As the approach matures, future cases are likely to involve diverse ecologically-, economically- and nutritionally-important species (e.g., fisheries, timber, undulates, ecotourism). There is also clear scope for application to cases that increasingly focus on livelihoods and poverty, and on harms caused by other actions (e.g., pollution, emissions, development, mining, agriculture). However, this first relies on better understanding relevant laws, gaining courtroom experience, building capacity and setting legal precedents. Strategic litigation is both precedent-setting, but also incremental and the types of claims we can make will expand as cases develop.

The approach also creates change by highlighting the true costs of IWT that are overlooked by traditional enforcement, and by gaining judicial recognition for the diverse values that are usually treated as invisible. Such legal recognition sends social signals that shape perceptions and norms about IWT – as strategic litigation has for other sectors, including LGBTQ+ rights, opioids, women’s rights, smoking and climate change. Increases in public accountability will also strengthen overall environmental governance, with benefits for long-term management of natural capital.

Scalability:

CLAW focuses on 3 core countries, while also “planting seeds” in 6 others and globally for future cases that focus on scaling-up. By creating the technical resources, convening the Community of Practice and empowering potential plaintiffs, we are paving the way for future legal actions in other countries and contexts. Indeed, the 3 cases coordinated across core countries will serve as examples to inform and inspire future action around the world.

## Q20. Pathway to change

**Please outline your project’s expected pathway to change. This should be an overview of the overall project logic and outline how you expect your Outputs to contribute towards your overall Outcome and, longer term, your expected Impact.**

Meaningfully tackling IWT requires not only punishing offenders, but also addressing the harms IWT causes to biodiversity, livelihoods and wellbeing. CLAW will enable the scaling-up of this new form of legal action, providing demonstration cases, technical resources, lesson-sharing, and practitioner engagement to make it viable. They will allow us to develop strategic liability litigation as a global, complementary and meaningful approach that can help “shift the equation” on IWT. It does this -- and helps reduce future IWT -- by focusing on remedies. Remedy-focused enforcement not only heals harms in individual cases and compensates victims, but also dramatically increases the costs for violators, and reveals to society the true costs of IWT on nature, poverty, etc. This can shift social norms. Moreover, CLAW targets high-level offenders who benefit the most from IWT. It can also empower government agencies, citizens and NGOs that often have the right to bring forward lawsuits, expanding and democratising wildlife justice (23). This means overall greater enforcement effort, better targeted at the most appropriate defendants, in ways that can heal, compensate, deter and educate. By setting the initial examples and reducing barriers to act, CLAW will enable future cases that can protect species and livelihoods.





## Q21. Exit Strategy





**How the project will reach a sustainable point and continue to deliver benefits post-funding? Will the activities require funding and support from other sources, or will they be mainstreamed in to “business as usual”? How will the required knowledge and skills remain available to sustain the benefits? How will your approach, if proven, be scaled?**





The project is designed to promote future litigation, scaling-up beyond the project time horizon, by empowering partners within and outside our network to pursue cases in new countries and case contexts (e.g., biodiversity and livelihood impacts from causes other than just IWT). This is built-in through the recruiting of future plaintiffs across 9 countries and awarding of “seed funding” to 3 other organisations to design their own lawsuits. In at least 3 countries we are working on cases where the government will be the main plaintiff, which means that they will gain experience that will allow them to undertake their own future cases. Indeed, in our last IWTCF project, although the government was not the plaintiff in our case, several government agencies were inspired by our approach and are developing their own cases. Also, the CLAW partners in 3 core countries have the capacity and interest in using CL approaches beyond the project horizon. Our demonstration cases, publicity and resources will be central to supporting others to secure future funding for their cases.

We are also developing knowledge products that will endure beyond the project, harvesting practitioner knowledge to develop “lessons learned” document, and creating “crib sheets” that will reduce technical barriers for stakeholders in 9 countries. We are also “planting seeds” for future cases that can develop during/after this project. We are also building the Community of Practice to take on a “life of its own” beyond the project, including because it will not involve expensive maintenance and because we are already receiving stakeholders requests to join our networks from relevant stakeholders globally.

If necessary, please provide supporting documentation e.g. maps, diagrams, references etc., as a PDF using the File Upload below:

 [Supporting Documents CLAW IWTCF Round 9 Stage 2](#)  
 14/12/2022  
 10:01:07  
 pdf 489.4 KB

 [Cover Letter CLAW IWTCF Round 9 Stage 2](#)  
 08/12/2022  
 19:50:16  
 pdf 138.03 KB

 [Theory of Change CLAW IWTCF Round 9 Stage 2](#)  
 08/12/2022  
 19:47:12  
 pdf 44.75 KB

## Section 7 - Risk Management

### Q22. Risk Management

Please outline the 6 key risks to achievement of your Project Outcome and how these risks will be managed and mitigated, referring to the [Risk Guidance](#). This should include at least one Fiduciary, one Safeguarding Risk, and one Delivery Chain Risk.

Projects should also draft their initial risk register, using the [Risk Assessment template](#), and be prepared to submit this when requested if you are recommended for funding. Do not attach this to your application.

Risk Description	Impact	Prob.	Gross Risk	Mitigation	Residual Risk
<b>Fiduciary</b> Misappropriation or misuse of funds by partners	Moderate	Rare	Minor	-Partners have track records in managing international-funded projects - Focus on existing and trusted collaborators of LU -Project will start with training workshop on financial reporting and assessment requirements -Partners will undergo LU's due diligence process -Annual external audits conducted	Minor

### Safeguarding

Pressure, threats or violence against plaintiffs or expert witnesses results in people withdrawing from the case and/or creating safety concerns, and/or judicial corruption endangering case transparency

Major

Unlikely

Major

- All plaintiff likely government agencies, which is far less subject to these same pressures
- Case-selection framework picks lower risk cases
- Identify several experts and cases in each country as "backup" cases
- Use risk mitigation framework to identify specific mitigating actions
- Partners have established expertise and risk SOPs

Minor

### Delivery Chain

Difficulty in finding appropriate cases and plaintiffs willing to participate in bringing forward cases, meaning we are unable to litigate in all 3 countries

Moderate

Unlikely

Moderate

- We have pre-identified possible cases and plaintiffs
- In 3 core countries the plaintiff will likely be the government, and we have established contacts interested
- Partners have experience supporting litigation
- Virtual CoP will provide support plaintiffs
- New resources (e.g., Lessons learned report, frameworks) will guide plaintiffs

Minor

### Risk 4

Legal and financial risks associated with the possibility of Strategic Litigation Against Public Participation (SLAPP) lawsuits being brought in response to our cases, designed to silence or intimidate plaintiffs

Moderate

Possible

Major

- Government plaintiffs do not face SLAPP risks
- SLAPP expert on the Board of Advisors
- Lessons learned and risk mitigation framework will address SLAPP
- Legal research will investigate anti-SLAPP legislation in each country
- Cases will ensure language to reduce SLAPP risks.
- Appeal to anti-SLAPP provisions in court (if available)

Minor

**Risk 5**

Post-project risk (i.e. would not affect project outcome but is important to long-term impacts): Losing a case in the 1st instance court could require lodging an appeal in a superior court, resulting in additional costs and time for the plaintiffs

Minor

Possible

Moderate

-Desk research to assess financial risks and inform case-selection  
-If needed, have identified additional funding to support appeals in Cameroon and Indonesia. Government plaintiffs can also often draw on state resources for court appeals. If needed, we can crowd-fund/appeal to NGO donors for additional support

Minor

**Risk 6**

Post-project risk (as above): Risk of "things going wrong" during the court proceedings that reduce the likelihood of future cases / reduce willingness of future plaintiffs, such as setting a negative precedent, procedural delays or low judicial competence.

Moderate

Possible

Major

-Develop case-selection framework and claims likely to succeed  
-Lodge multiple cases to increase likelihood of success  
-Build public/media attention to increase scrutiny and encourage expedited outcomes.  
-Maximise visibility and benefits of filing the cases, independent of the ultimate verdict or timeline  
- Provide resource and training for judges, prosecutors, lawyers

Minor

**Section 8 - Implementation Timetable**

**Q23. Provide a project implementation timetable that shows the key milestones in project activities**





**Provide a project implementation timetable that shows the key milestones in project activities. Complete the Word template as appropriate to describe the intended workplan for your project.**

Implementation Timetable Template

**Please add/remove columns to reflect the length of your project. For each activity (add/remove rows as appropriate) indicate the number of months it will last, and fill/shade only the quarters in which an activity will be carried out. The workplan can span multiple pages if necessary.**



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 [BCF Implementation Timetable Template 2022-23 FINAL](#)  
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 docx 45.5 KB

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## Section 9 - Monitoring and Evaluation

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### Q24. Monitoring and evaluation (M&E)

**Describe how the progress of the project will be monitored and evaluated, making reference to who is responsible for the project's M&E.**

**IWT Challenge Fund projects are expected to be adaptive and you should detail how the monitoring and evaluation will feed into the delivery of the project including its management. M&E is expected to be built into the project and not an 'add' on. It is as important to measure for negative impacts as it is for positive impact. Additionally, please indicate an approximate budget and level of effort (person days) to be spent on M&E (see [Finance Guidance](#)).**

LU is responsible for M&E, actively supported by staff at LaW. This includes activity and indicator tracking, tracking progress and means of verification with the partners, and annual and final reporting. M&E will be based around four, shared "live" online documents:



Indicator tracking: Will track the project activities and indicators, identifying the partner responsible and related timelines. These will be updated regularly and allow partners to update their "status" online. This will allow us to anticipate and manage any delays or shortcomings, with indicators tracked using a colour coding system (completed, on-track, anticipated delay or problem).

Group communication about progress & challenges: International communication will use the online platform, Slack.com, allowing "themed" discussions. Discussion "themes" will be organised to match outputs and allow for related discussion among all of the partners regarding their status, related challenges, suggestions, etc.

Impact/opportunities log: An impact/opportunities log that tracks its engagement with stakeholders, recognising that CL uptake among future plaintiffs will be heavily based on quality of engagement and relationships. This approach will allow tracking of engagements and identification of priority relationships and emerging opportunities.

Risk and ethics assessments: Each potential case will undergo evaluation of associated risks and ethical issues, to aid in case selection and ensure high standards. These will be shared across the partners and updated as cases develop.

LU and LaW will have minimum weekly Zoom meetings and 2-3 in-person meetings each year. At the project start, LU and LaW will also hold an "all-partners" meeting - both online and in-person, to ensure shared understanding of the activities, timetables, indicators, strategies, compliance with local laws, safety and ethics standards. This will include discussion about financial reporting and partner roles in collecting means of verification evidence. The project will further include a series of 5+ virtual partner meetings to discuss project progress and changes.

<b>Total project budget for M&amp;E in GBP (this may include Staff, Travel and Subsistence costs)</b>	
<b>Percentage of total project budget set aside for M&amp;E (%)</b>	
<b>Number of days planned for M&amp;E</b>	180

## Section 10 - Logical Framework

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### Q25. Logical Framework


IWT Challenge Fund projects will be required to monitor and report against their progress towards their Outputs and Outcome. This section sets out the expected Outputs and Outcome of your project, how you expect to measure progress against these and how we can verify this.


- [Stage 2 Logframe Template](#)


Please complete your full logframe in the separate Word template and upload as a PDF using the file upload below – **please do not edit the template structure other than adding additional Outputs if needed as a logframe submitted in a different format may make your application ineligible.** Copy your Impact, Outcome and Output statements and your activities below - these should be the same as in your uploaded logframe.

#### Please upload your logframe as a PDF document.

 [BCF St2 and Single Stage Logical Framework Template 2022-23 FINAL](#)

 15/12/2022

 20:03:14

 pdf 246.64 KB

#### Impact:

Reduced IWT by increasing the likelihood that violators will face litigation with high sanctions, which can then be reinvested into healing harm and can send social signals about IWT impacts.

#### Outcome:

Conservation litigation is a globally-recognised tool for tackling IWT in ways that are deterrent, remedy-focused and have potential to deliver meaningful justice and social signals.

#### Project Outputs

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##### Output 1:

Active global Community of Practise that promotes and supports CL across jurisdictions as a tool to tackle IWT.

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**Output 2:**

New body of resources freely available that reduces barriers for future CL cases

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**Output 3:**

Active conservation litigation cases in at least 3 countries

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**Output 4:**

Opportunities for new plaintiffs are created, promoting and facilitating future CL lawsuits in new countries.

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**Output 5:**

*No Response*

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**Do you require more Output fields?**

**It is advised to have fewer than 6 Outputs since this level of detail can be provided at the Activity level.**

No

**Activities**

**Each activity is numbered according to the Output that it will contribute towards, for example, 1.1, 1.2, 1.3 are contributing to Output 1.**

- 1.1 LaW to establish online CoP platform for practitioners as a hub for CL community, growing the CoP with targeted invitations via the partners and engagement activities.
  - 1.2 LaW and LU to maintain active CoP member engagement via posts of news, questions, consultations, organising discussion threads
  - 1.3 LaW and LU to establish a broad/inclusive network of people interested in CL/keeping in touch, via new mailing list (active participants may later join the CoP)
  - 1.4 LU and LaW to develop a general multi-purpose "slide deck" resource, which partners can then use with legal practitioners across future workshops
  - 1.5 Two "hackathon" events organised via Bright Tide, which hosts these events for law firms around the world.
  - 1.6 ICEL and WTI to announce "law clinic" opportunities for law students, and recruit >6 students to support case development (e.g., legal research, preparing documents)
  - 1.7 ICEL, LAGA, WTI, LU, LaW present strategic conservation litigation to undergraduate law modules in >3 countries via the partners
  - 1.8 LU and LaW to host meetings with Board of Advisors to discuss key topics (e.g., see Indicator 2.4, 2.5)
  - 1.9 LU to host 2 in-person workshops of CLAW partners, to discuss project start, case resources and frameworks, and then case develop development and strategy
  - 1.10 See also engagement workshops discussed under Output 4 that also contribute to this output.
- 
- 2.1 Cooperation with lawyers in 9 countries, LaW will conduct legal analysis about how CL can be operationalised in each country, following the CL checklist we have developed/trialled
  - 2.2 ICEL, LAGA, WTI and Law will host technical workshops in 9 countries with legal experts to refine the checklist and consider socio-legal realities of strategic litigation
  - 2.3 Publish 9 country-specific reports and "crib sheets" that synthesise CL laws and procedures, for dissemination via website, social media, CoP, network and events
  - 2.4 All partners will develop resource on "lessons learned about strategic conservation litigation", based on

a virtual workshop and discussions with partners and CoP.

2.5 LaW will develop online, free database (e.g., using Google) to populate with cases contributed by WTI, ICEL, LAGA, CoP and in-country lawyers across >9 countries

2.6 All partners and Board will build a case-selection framework, to guide selection of strategic CL case)

2.7 LU will develop risk identification and mitigation framework through consultation with partners, based on review of other organisations' protocols (including via IWTCF recipients) and in discussion with Board of Advisors

2.8 LU, LaW and DLA to develop draft "mode legislation" text, to guide countries that are reforming their legislation and want to strengthen CL. Disseminate this to targeted legal experts in countries where reform is ongoing (e.g., Indonesia, Liberia, Zambia, Zimbabwe, EU)

2.9 LU and LaW to develop regular online posts, with contributions from WTI, LAGA, ICEL, and disseminate via website, CoP, network and social media

2.10 LU to organise partner roles for public communications (blogs, website updates), and maintain/develop database of media contacts to coordinate maximum visibility for cases

2.11 LU to lead partners in co-authorship of blogs/editorials, website updates, and 3 key academic publications via collaborative GoogleDocs

2.12 LU and Law to disseminate new resources (above) via website, social and print media, CoP, network mailing list, and in-person and virtual workshops, IWTCF newsletter

3.1 LAGA, WTI, ICEL to identify, summarise and propose candidate cases in 3 target countries that are locally appropriate/strategic and CLAW goals. And coordinate to identify a plaintiff for each case—most likely a government agency

3.2 LU to use case-selection framework, risk-mitigation framework and Board of Advisors consultation to evaluate each case, and recommend whether/how to proceed, and mitigation

3.3 LU, ELI and LaW to support LAGA, WTI, ICEL in developing damage claims for each case, via workshops, shared GoogleDoc, and convening species-conservation experts via IUCN to help provide scientific expertise

3.4 LAGA, WTI and ICEL to coordinate with government and legal team to prepare selected case details, evidence, and legal argumentation— for comment from partners, LaW, ELI, LU

3.5 LAGA, WTI and ICEL to formally submit cases in respective courts

3.6 LAGA, WTI and ICEL to host a press release event and publicise their case. Cooperate with LU on international media campaign.

4.1 Drawing on the 9 country legal analyses and general CL resources, LaW and in-country lawyers develop presentations for each country

4.2 WTI and ICEL host in-person engagement workshop with practitioners to discuss developing future conservation litigation cases in their jurisdictions

4.3 LaW, LU and in-country lawyers invite a targeted group of practitioners in 6 additional countries to virtual workshops to present results of legal analysis and discuss litigation potential

4.4 Partners and in-country lawyers identify the most appropriate prospective future plaintiffs, and help organise virtual meeting with LU/LaW

4.5. ELI and LU to lever international and partners' networks co-host open virtual events for law practitioners globally

4.6 LU to develop a public call for proposals for groups to apply for funding for explore developing their own future cases, and select 3 groups based on case-selection and risk-mitigation frameworks and Board

4.7 Introductory workshops with funded organisations to introduce approach and timeline/plans, and regular engagement with LU, LaW and CoP

4.8 Seed-funded projects submit their litigation proposals and plans

## **Section 11 - Budget and Funding**

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## Q26. Budget

Please complete the appropriate Excel spreadsheet, which provides the Budget for this application. Some of the questions earlier and below refer to the information in this spreadsheet.

Note that there are different templates for projects requesting under £100,000 and over £100,000. Please refer to the [Finance Guidance](#) for more information.





- [Budget form for projects under £100k](#)
- [Budget form for projects over £100k](#)

Please ensure you include any co-financing figures in the Budget spreadsheet to clarify the full budget required to deliver this project.

**N.B.:** Please state all costs by financial year (1 April to 31 March) and in GBP. The IWT Challenge Fund cannot agree any increase in grants once awarded.

Please upload your completed IWT Challenge Fund Budget Form Excel spreadsheet using the field below.

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 [BCF-Budget-over-£100k-CLAW Round 9 Stage](#)  
2  
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 xlsx 97.23 KB

## Q27. Funding

Q27a. Is this a new initiative or does it build on existing work (delivered by anyone and funded through any source)?

- Development of existing work

**Please provide details:**

CLAW builds on our previous IWTCF-funded project (2018-2021). Since that project ended, we have continued to work, primarily through voluntary contributions of the partners (notably LU, LaW, ELI, ICEL). We also secured pro-bono technical support from DLA Piper for some legal analyses and legal representation, which has limited our costs. LU and LaW also received a small grant from FFI Caucasus to do an analysis for how to conduct IWT litigation in Georgia. In 2022, a grant from the ARCUS Foundation enabled to expand our work to other countries (e.g., Thailand, Liberia), and part of that grant is matched funding for this IWTCF proposal to support legal analysis in Cameroon and Indonesia.

Q27b. Are you aware of any current or future plans for similar work to the proposed project?

- Yes

**Please give details explaining similarities and differences, and explaining how your work will be**

**additional and what attempts have been/will be made to co-operate with and learn lessons from such work for mutual benefits.**

There are no groups using environmental liability laws to remedy harm to biodiversity or to address IWT. However, there are other groups working on environmental liability in other contexts, such as Client Earth and Greenpeace . They are largely focused on exploring how to expose the legal liabilities of companies operating in the Global North who cause environmental harm in the Global South. Our work is very complementary to this because their efforts are likely to also rely on a detailed understanding of the laws in specific countries, and strong domestic legal capacity to develop related litigation. That local legal nuance and experience is what CLAW provides. And although focused on IWT, the legal pathways can apply to other contexts.

There are also a number of other organisations globally working to advance climate litigation - the use of liability laws similar to those we are exploring in CLAW, to hold carbon emitters liable for the climate change harms this cause (e.g., holding oil companies responsible to fund construction of seawalls). Our work has parallels and a lot to share, but is very different because we are focused on biodiversity and related laws are largely distinct.

## **Q28. Capital items**

**If you plan to purchase capital items with IWT funding, please indicate what you anticipate will happen to the items following project end. If you are requesting more than 10% capital costs, please provide your justification here.**

NA

## **Q29. Value for Money**

**Please describe why you consider your application to be good value for money including justification of why the measures you will adopt will secure value for money.**

- CLAW offers value for money, as noted in the evaluation of our last IWTCF project, for several reasons:
- The Project Lead, in addition to budgeted time, has committed 6 months of time over a sabbatical from LU, to focus on CLAW (April - Oct 2023)
  - Substantial in-kind contribution from DLA Piper provides access to highly specialised experts
  - LaW has waived almost all overheads, so most funding will go directly to pay for salaries of highly skilled staff
  - The partner organisations have made substantial in-kind contributions of highly skilled staff time
  - Local lawyers in 9 countries will perform much of legal assessments, building local capacity while also reducing legal costs (versus UK lawyers)
  - A great number of meetings and workshops will be done virtually, and only the necessary meetings among partners will be done in person
  - Substantial matched funding from two additional donors: Orangutan Outreach, ARCUS Foundation)

This project scales-up a novel, strategic approach to IWT that targets not only deterrence, but also remedies and social signalling. As such, it provides multiple impacts (Theory of Change), including potential to shift how people think about IWT harm and legal responses. This has profound implications for both conservation and livelihoods, as it increases sanctions while opening opportunities for people to seek compensation for IWT-related harms. Thus, and somewhat uniquely, this proposal not only has direct implementation dimensions, but also contributes necessary "thought leadership" that will shape how we

approach and respond to IWT globally.

## Section 12 - Safeguarding and Ethics

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### Q30. Safeguarding

Projects funded through the IWT Challenge Fund must fully protect vulnerable people all of the time, wherever they work. In order to provide assurance of this, projects are required to have appropriate safeguarding policies in place.

Please confirm the Lead Partner has the following policies in place and that these can be available on request:

Please upload the lead partner's Safeguarding Policy as a PDF on the certification page.

<b>We have a safeguarding policy, which includes a statement of our commitment to safeguarding and a zero tolerance statement on bullying, harassment and sexual exploitation and abuse</b>	Checked
<b>We have attached a copy of our safeguarding policy to this application (file upload on certification page)</b>	Checked
<b>We keep a detailed register of safeguarding issues raised and how they were dealt with</b>	Checked
<b>We have clear investigation and disciplinary procedures to use when allegations and complaints are made, and have clear processes in place for when a disclosure is made</b>	Checked
<b>We share our safeguarding policy with downstream partners</b>	Checked
<b>We have a whistle-blowing policy which protects whistle blowers from reprisals and includes clear processes for dealing with concerns raised</b>	Checked
<b>We have a Code of Conduct for staff and volunteers that sets out clear expectations of behaviours - inside and outside the work place - and make clear what will happen in the event of non-compliance or breach of these standards</b>	Checked

Please outline how you will implement your safeguarding policies in practice and ensure that downstream partners apply the same standards as the Lead Partner.

If your project involves data collection and/or analysis which identifies individuals (e.g. biometric data, intelligence data), please explain the measures which are in place and/or will be taken to ensure the proper control and use of the data. Please explain the experience of the organisations involved in managing this information in your project

LU's safeguarding framework promotes good practice to protect those with whom we interact. Partners operating under the Safeguarding Children and Adults at Risk Policy are required to be aware of and

implement its contents. Advice and guidance on how the framework is available from the Faculty of Science and Technology Safeguarding Officer.

If awarded, CLAW will be subject to LU's due diligence process to ensure any non-UK partners have the capacity and expertise to carry out the project. Our due diligence process assesses partners have all the necessary policies and processes, including safeguarding, and that project funding will be used for the purposes of the project and correctly accounted for. Prior to the commencement of the project, Lancaster University will take steps to ensure that activities carried out by all partners comply with the Lancaster's standards and funder terms and conditions throughout the duration of the project, via a signed research collaboration agreement.

Training to support the safeguarding framework will be provided to all local Safeguarding Officers and members of staff as part of our safeguarding commitment.

## Q31. Ethics

### **Outline your approach to meeting the key ethical principles, as outlined in the guidance.**

CLAW includes well-established, respected partners, aware of their local laws—considering their legal expertise, in the 3 core countries.. This ensures that all work meets domestic legal obligations. Additionally, partners will receive LU guidance on safety, safeguarding and ethical research, including through the inception workshop. All research will undergo an LU institutional ethics review.

These well-regarded local partners are vetted by LU's "partner checklist" that includes review of management, transparency and protocols, helping verify that our partners have strong management practices in place. Moreover, most partners involve people with whom we have previously collaborated and have strong trust in their and their organisations' leadership capabilities.

The project places explicit value on traditional knowledge. Where appropriate and possible, we will reflect this knowledge and related values explicitly in our lawsuits. For example, lawsuits will seek remedies for non-material and non-financial values, likes cultural values, along with impacts on traditional livelihoods associated with IWT caused harm to wildlife. This is an important formal recognition of traditional knowledge and values often overlooked in policy.

Partner and plaintiff safety is a priority. We have developed an overall risk analysis for the project, and will run case-specific risk analysis to ensure that any cases that partners litigate do not present undue risks to the partners/plaintiffs. Additionally, we are ensuring risk mitigation protocols are in place for all partners, disseminating best practises through "lessons learned" publications, and sharing LU safety and safeguarding guidance. We will have group discussions throughout the project on managing risks.

## Section 13 - FCDO Notifications

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### Q32. FCDO Notifications

**Please state whether there are sensitivities that the Foreign Commonwealth and Development Office will need to be aware of should they want to publicise the project's success in the Darwin Initiative in any country.**

No

**Please indicate whether you have contacted FCDO Embassy or High Commission to discuss the**




project and attach details of any advice you have received from them.


Yes


Please attach evidence of request or advice if received.

 [Evidence of FCDO communications CLAW IW](#)

[TCF Round 9 Stage 2](#)

 13/12/2022

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## Section 14 - Project Staff

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### Q33. Project staff

Please identify the core staff (identified in the budget), their role and what % of their time they will be working on the project.

Please provide 1-page CVs or job description, further information on who is considered core staff can be found in the [Finance Guidance](#).

Name (First name, Surname)	Role	% time on project	1 page CV or job description attached?
Jacob, Phelps	<b>Project Leader</b>	24	Checked
TOR for in-country lawyers in 6 countries	In-country Lawyers	0	Checked
Maribel, Rodriguez	Legal Director, LaW	75	Checked
Rika, Fajkrini	Senior Lawyer, LaW	30	Checked

Do you require more fields?

Yes


Name (First name, Surname)	Role	% time on project	1 page CV or job description attached?
Naila, Bhatri	Operations Director, LaW	59	Checked
Isna Fatimah	Project Coordinator and Researcher, ICEL	35	Checked
Adrianus Eryan	Researcher, ICEL	50	Checked


Grita Anindari	Lawyer, Program Director, ICEL	20	Checked
Jose Louies	Project Head, WTI	25	Checked
Debobroto Sircar	Manager, and Researcher, WTI	27	Checked
Sudheer KS	Lawyer, WTI	70	Checked
Aime Frisco	Head of Legal Unit, LAGA	5	Checked


**Please provide 1 page CVs (or job description if yet to be recruited) for the project staff listed above as a combined PDF.**

**Ensure the file is named clearly, consistent with the named individual and role above.**

 [CVs-CLAW 2022](#)

 15/12/2022

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 pdf 1.94 MB

**Have you attached all project staff CVs?**

Yes

## Section 15 - Project Partners

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### Q34. Project partners

**Please list all the Project Partners (including the Lead Partner), clearly setting out their roles and responsibilities in the project including the extent of their engagement so far and planned.**

**This section should demonstrate the capability and capacity of the Project Partners to successfully deliver the project. Please provide Letters of Support for all project partners or explain why this has not been included.**

**Lead partner name:** Lancaster University

**Website address:** [www.lancaster.ac.uk/](http://www.lancaster.ac.uk/)

**Details (including roles and responsibilities and capabilities and capacity):**

J.Phelps has been working on liability litigation since 2014, and leads the Conservation-Litigation.org networks that emerged from our last IWTCF project that pioneered this legal approach. He is a leading authority on the topic, including the development of damage claims that integrate conservation science and law, and is currently involved in litigation in 3 countries. He has established meaningful relationships with all of the partners and a track-record of delivering high-quality projects, including on several IWTCF projects. He and LU have experience coordinating complex international, multi-partner projects across the Global South, including projects that include legal dimensions.

LU will be responsible for overall project oversight, leading on monitoring, reporting, and partner convening, including engagement with the Board of Advisors and Project Board. J.Phelps will provide unique multidisciplinary expertise integrating law with conservation, to lead on the development of technical resources with LaW and all of the partners, and leading the science for the 3 lawsuits in core countries. He will actively contribute to the Community of Practice, and coordinate public global communication about the litigation. He will work closely with Law on the day-to-day management of the project.

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**Allocated budget (proportion or value):**



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**Represented on the Project Board**

Yes

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**Have you included a Letter of Support from this organisation?**

Yes

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**Have you provided a cover letter to address your Stage 1 feedback?**

Yes

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**Do you have partners involved in the Project?**

Yes

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**1. Partner Name:** Law and Wildlife (LaW)

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**Website address:** [www.lawandwildlife.org](http://www.lawandwildlife.org)

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**Details (including roles and responsibilities and capabilities and capacity):**

LaW is a legal analysis group that helps conservation organisations to better understand legal opportunities. M.Rodriguez co-founded Conservation-Litigation.org, and has a uniquely broad expertise on wildlife conservation legislation across jurisdictions. She led development of the conservation litigation legal framework assessment checklist, and has already coordinated related analyses in Georgia, Thailand and Liberia. She is currently supporting litigation in several countries. R.Fajrini is a leading Indonesian environmental lawyer who has contributed extensively to Conservation-Litigation.org and has litigation experience in Indonesia. N.Bhatri, Operations Director, combines her experience of environmental law research and laboratory management experience to provide project management support to CLAW.

LaW will provide specialised technical legal expertise, collaborating with lawyers in 9 countries on country legal assessments, and resulting reports and “crib sheets” as well as workshops to understand the socio-legal realities in each country. They will also provide technical support on litigation, including interpreting laws to help develop the claims in each country. They will convene the Community of Practice. They will also work with LU to lead development of technical resources (e.g., risk-mitigation and case-selection frameworks). LaW will also provide day-to-day backstopping for LU on partner engagement and communications, monitoring and reporting.

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**Allocated budget:** ██████████

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**Represented on the Project Board**  Yes

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**Have you included a Letter of Support from this organisation?**  Yes

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**2. Partner Name:** Last Great Apes Organisation

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**Website address:** [www.laga-enforcement.org/en](http://www.laga-enforcement.org/en)

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**Details (including roles and responsibilities and capabilities and capacity):**

LAGA is one of the best-known wildlife law enforcement NGOs in the world, recognised for its success in investigating and prosecuting IWT networks, focused in Cameroon. LAGA works with government authorities to capture and prosecute dealers in protected wildlife species, and has extensive in-house legal expertise and extensive courtroom experience, including that of F.Aime. This includes a number of criminal IWT cases, several of which have included small civil claims. This is the basis for collaboration, working with the government to develop larger-scale liability lawsuits within their core work on criminal prosecutions.

LAGA will lead case development in Cameroon, convening lawyers, government officials and conservationists to identify and select a strategic case; helping to develop legally viable and strategic claims, and then supporting the government in litigating at least 1 IWT case. Importantly, CLAW work will integrate directly into their existing case load (i.e. CLAW lawsuits alongside existing criminal suits). LAGA will also help with publicising the case and approach, and engage possible future plaintiffs across the region. LAGA will also be involved in the Community of Practice, and contribute towards resources (e.g., risk framework, lessons-learned report) based on their extensive experience.

**Allocated budget:**



**Represented on the Project Board**

Yes

**Have you included a Letter of Support from this organisation?**

Yes

**3. Partner Name:** Wildlife Trust of India

**Website address:** [www.wti.org.in](http://www.wti.org.in)

**Details (including roles and responsibilities and capabilities and capacity):**

India's best known wildlife conservation organisation, WTI has a broad portfolio that includes expertise on investigation and support for prosecuting IWT cases, often in cooperation with the government. WTI has strong in-house legal expertise, and networks with legal scholar-practitioners important to pioneering this new legal approach in India. WTI also has strong government networks important to integrating CLAW into future government IWT cases.

WTI will lead legal analysis in India, using resources and in cooperation with LaW. They will lead on case development in India, including case identification and selection, and support in litigating at least 1 India, in case in cooperation with the government. They will also lead CLAW workshops in India to engage practitioners (prosecutors, judges), engage university law students in preparing cases. They will also help publicise the case and approach in India, network with prospective future plaintiffs. WTI will also be involved in the Community of Practice, and contribute to technical resources (e.g., risk framework, lessons-learned report) based on their extensive experience.

**Allocated budget:** ██████████

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**Represented on the Project Board**  Yes

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Have you included a Letter of Support from this organisation?  Yes

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**4. Partner Name:** Indonesian Center for Environmental Law

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**Website address:** www.icel.or.id

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**Details (including roles and responsibilities and capabilities and capacity):**

ICEL is Indonesia's leading environmental law NGO, and its network includes the country's leading legal scholars and practitioners. It has strong networks with the government, and often works to strengthen State capacity to create, implement and enforce environmental laws and regulations. It has already made headway in engaging them to consider using CLAW legal strategies. ICEL also leads the Supreme Court's judicial environmental training in Indonesia, supports environmental law education and helps NGOs with access to justice, and so has a broad network of stakeholders immediately relevant to CLAW. ICEL will lead legal analysis and policy advice in Indonesia, drawing on CLAWresources. They will lead on case development in Indonesia, including case identification and selection, and support in litigating at least 1 IWT case-working with the government to act as a plaintiff. They will also lead CLAW workshops in Indonesia to engage practitioners and university students, and to network with prospective future plaintiffs. ICEL will also be involved in the Community of Practice, and contribute to technical resources (e.g., risk framework, lessons-learned report) based on their extensive experience.

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**Allocated budget:** ██████████

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**Represented on the Project Board**  Yes

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Have you included a Letter of Support from this organisation?  Yes

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**5. Partner Name:** Environmental Law Institute

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**Website address:** www.eli.org

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**Details (including roles and responsibilities and capabilities and capacity):** ELI is one of the oldest and best-known environmental law organisations in the world, and has been central to establishing the field in the US and globally. The ELI team includes C.Jones, an environmental economist whose previous work includes leading the National Oceanic and Atmospheric Administration (NOAA) team conducting economic valuation for the ExxonValdez oil spill and 35 other natural resource damages cases. She has been active in developing Conservation-Litigation-org strategies. J.Pendergrass is a leading environmental lawyer, with decades of experience in environmental law analyses globally and is active in judicial education.

ELI will provide a range of technical legal and economics support for preparing the lawsuit claims in the 3 core countries. It will also support the risk-mitigation and case-selection frameworks. ELI will also use its global networks to help disseminate news of the strategic litigation and approach, and co-convene the Community of Practice and global virtual workshops.

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**Allocated budget:** 

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**Represented on the Project Board**  Yes

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**Have you included a Letter of Support from this organisation?**  Yes

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**6. Partner Name:** DLA Piper

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**Website address:** www.dlapiper.com

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**Details (including roles and responsibilities and capabilities and capacity):** DLA Piper is a world-leading law firm with offices in >40 countries, and is a leading provider of pro-bono legal services. In 2022, they took on Conservation-Litigation.org network as a pro-bono project, and are currently providing a range of technical support: legal analysis in the UK, development of an IWT litigation case in Italy, and support with our strategic planning. We have also invited one of their lawyers onto our Board of Advisors.

Although not a formal budgeted partner on CLAW, DLA Piper merits listing because they are willing to support a range of CLAW activities with their technical legal expertise. This will include supplementing legal analyses conducted by LaW in cooperation with in-country lawyers in the 9 countries.

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**Allocated budget:** £0.00

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**Represented on the Project Board**  No

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**Have you included a Letter of Support from this organisation?**  No

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**If no, please provide details** DLA Piper are not a budgeted partner, but we have a signed pro-bono partnership with them and we have reviewed (and put in-kind values to) a range of CLAW activities. When needed, we will make requests to them for specific legal expertise and they help to identify experts.





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**If you require more space to enter details regarding Partners involved in the project, please use the text field below.**





CLAW is led by Lancaster University, but its core is the Conservation-Litigation.org network that emerged from our last IWTCF project. As such, it is based on established institutional and personal relationships, including >6 year collaborations among LU, LaW, ICEL and ELI -- reflected in joint trainings for judges, several policy reports, extensive government engagement, joint webinars, academic publications, and actual case development and courtroom litigation. Since 2020, we have also worked with LAGA and are currently doing a joint analysis. We are now expanding to include WTI, with whom we have had extensive discussion. As such, the project is based on long-term and highly reciprocal relationships, which are key to an international, challenging project.

**Please provide a cover letter responding to feedback received at Stage 1 if applicable and a combined PDF of all letters of support.**

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 [CLAW Letters of Support IWTCF Round 9 Stage 1 e 2](#)  
 15/12/2022  
 12:23:26  
 pdf 1.6 MB

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 [Cover Letter CLAW IWTCF Round 9 Stage 2](#)  
 14/12/2022  
 09:28:56  
 pdf 138.16 KB

## Section 16 - Lead Partner Capability and Capacity

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Q35. Lead Partner Capability and Capacity

**Has your organisation been awarded IWT Challenge Fund funding before (for the purposes of this question, being a partner does not count)?**

Yes

**If yes, please provide details of the most recent awards (up to 6 examples).**



Reference No	Project Leader	Title
IWT083	Jacob Phelps	Illegal trade / sustainable use of wild medicinal orchids Nepal
IWT061	Jacob Phelps	Wildlife in Indonesia: Loss, Damage and Sanctions (WILDS)
<i>No Response</i>	<i>No Response</i>	<i>No Response</i>
<i>No Response</i>	<i>No Response</i>	<i>No Response</i>
<i>No Response</i>	<i>No Response</i>	<i>No Response</i>
<i>No Response</i>	<i>No Response</i>	<i>No Response</i>

**Have you provided the requested signed audited/independently examined accounts?**

**If yes, please upload these on the certification page. Note that this is not required from Government Agencies.**

Yes

## Section 17 - Certification

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### Q36. Certification

**On behalf of the**

Company

**of**

Lancaster University

**I apply for a grant of**



**I certify that, to the best of our knowledge and belief, the statements made by us in this application are true and the information provided is correct. I am aware that this application form will form the basis of the project schedule should this application be successful.**

(This form should be signed by an individual authorised by the applicant institution to submit applications and sign contracts on their behalf.)

- I have enclosed CVs for project key project personnel, letters of support, budget, logframe, safeguarding policy and project implementation timetable (uploaded at appropriate points in application).
- Our last two sets of signed audited/independently verified accounts and annual report (or other financial evidence – see [Financial Guidance](#)) are also enclosed.

Checked

<b>Name</b>	Yvonne Fox
<b>Position in the organisation</b>	Associate Director of Research Services
<b>Signature (please upload e-signature)</b>	<a href="#">Signed Certification page Dec 22</a> 09/12/2022 13:20:00 pdf 78.21 KB
<b>Date</b>	08 December 2022

**Please attach the requested signed audited/independently examined accounts.**

<a href="#">2021 Lancaster University Annual Accounts</a> 09/12/2022 13:20:22 pdf 4.75 MB	<a href="#">2020 Lancaster University Annual Accounts</a> 09/12/2022 13:20:22 pdf 720.87 KB
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**Please upload the Lead Partner's Safeguarding Policy as a PDF**

<a href="#">Safeguarding-Children-and-Adults-at-Risk-Procedures-and-Guidance</a> 09/12/2022 13:20:56 pdf 413.27 KB	<a href="#">Safeguarding-Children-and-Adults-at-Risk-Policy</a> 09/12/2022 13:20:56 pdf 249.14 KB
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## Section 18 - Submission Checklist

### Checklist for submission

	Check
<b>I have read the Guidance, including the "IWT Challenge Fund Guidance", "Monitoring Evaluation and Learning Guidance", "Risk Guidance" and "Financial Guidance".</b>	Checked
<b>I have read, and can meet, the current Terms and Conditions for this fund.</b>	Checked
<b>I have provided actual start and end dates for the project.</b>	Checked
<b>I have provided my budget based on UK government financial years i.e. 1 April – 31 March and in GBP.</b>	Checked
<b>I have checked that our budget is complete, correctly adds up and I have included the correct final total at the start of the application.</b>	Checked
<b>The application been signed by a suitably authorised individual (clear electronic or scanned signatures are acceptable).</b>	Checked

<b>I have attached my completed logframe as a PDF using the template provided</b>	Checked
<b>(If copying and pasting into Flexi-Grant) I have checked that all my responses have been successfully copied into the online application form.</b>	Checked
<b>I have included a 1 page CV or job description for all the Project Staff identified at Question 33, including the Project Leader, or provided an explanation of why not.</b>	Checked
<b>I have included a letter of support from the Lead Partner and partner(s) identified at Question 34, or an explanation of why not.</b>	Checked
<b>I have included a cover letter from the Lead Partner, outlining how any feedback received at Stage 1 has been addressed where relevant.</b>	Checked
<b>I have included a copy of the Lead Partner's safeguarding policy, which covers the criteria listed in Question 30.</b>	Checked
<b>I have been in contact with the FCDO in the project country/ies and have included any evidence of this. If not, I have provided an explanation of why not.</b>	Checked
<b>I have included a signed copy of the last 2 annual report and accounts for the Lead Partner, or other evidence of financial capacity as set out in the Financial Guidance, or provided an explanation if not.</b>	Checked
<b>I have checked the IWT Challenge Fund website immediately prior to submission to ensure there are no late updates.</b>	Checked
<b>I have read and understood the Privacy Notice on the IWT Challenge Fund website.</b>	Checked

**We would like to keep in touch!**

**Please check this box if you would be happy for the lead applicant (Flexi-Grant Account Holder) and project leader (if different) to be added to our mailing list. Through our mailing list we share updates on upcoming and current application rounds under the Darwin Initiative and our sister grant scheme, the IWT Challenge Fund. We also provide occasional updates on other UK Government activities related to biodiversity conservation and share our quarterly project newsletter. You are free to unsubscribe at any time.**

Checked

### **Data protection and use of personal data**

Information supplied in the application form, including personal data, will be used by Defra as set out in the **Privacy Notice**, available from the [Forms and Guidance Portal](#).

This **Privacy Notice must be provided to all individuals** whose personal data is supplied in the application form. Some information may be used when publicising the Darwin Initiative including project details (usually title, lead partner, project leader, location, and total grant value).

Project Title: Conservation Litigation & Wildlife (CLAW)

**Guidance – please delete before submitting**

Provide a **Project Implementation Timetable** that shows the key milestones in project activities. Complete the following table as appropriate to describe the intended workplan for your project. Quarters are based on UK FYs (**1 April – 31 March** - Q1 therefore starts April 2023).

Please add/remove columns to reflect the length of your project. For each activity (add/remove rows as appropriate) indicate the number of months it will last, and shade only the quarters in which an activity will be carried out. The activity numbers should correspond to the activities in your logical framework (logframe). The workplan can span multiple pages if necessary.

This template covers multiple Biodiversity Challenge Funds schemes, so ensure you check the eligible dates/project length for the scheme you are applying to and feel free to delete later years if not applicable for your project.

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Output 1	Active global Community of Practise that promotes and supports CL across jurisdictions as a tool to tackle IWT.													
1.1	LaW to establish online CoP platform (LinkedIn “closed” group) for practitioners as a hub for CL community, growing the CoP with targeted invitations via the partners and engagement activities.	2	x											
1.2	LaW and LU to maintain active CoP member engagement via posts of news, questions, consultations, organising discussion threads	36	x	x	x	x	x	x	x	x	x	x	x	x
1.3	LaW and LU to establish a broad/inclusive network of people interested in CL/keeping in touch, via new mailing list (active participants may later join the COP)	36	x	x	x	x	x	x	x	x	x	x	x	x
1.4	LU and LaW to develop a general multi-purpose “slide deck” resource, which partners can then use with legal practitioners across future workshops	2		x										

Project Title: Conservation Litigation & Wildlife (CLAW)

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1.5	Two "hackathon" events organised via Bright Tide, which hosts these events for law firms around the world.	1					x				x			
1.6	ICEL and WTI to announce "law clinic" opportunities for law students, and recruit >6 students to support case development (e.g., legal research, preparing documents)	12					x	x	x	x				
1.7	ICEL, LAGA, WTI, LU, LaW present strategic conservation litigation to undergraduate law modules in >3 countries via the partners	18				x	x	x	x	x	x			
1.8	LU and LaW to host meetings with Board of Advisors to discuss key topics (e.g., see Indicator 2.4, 2.5)	4	x	x	x	x	x	x	x	x	x	x	x	x
1.9	LU to host 2 in-person workshops of CLAW partners, to discuss project start, case resources and frameworks, and then case development and strategy	2	x					x						
1.10	See also engagement workshops discussed under Output 4 that also contribute to this output.													
Output 2	New body of resources freely available that reduces barriers for future CL cases													
2.1	Cooperation with lawyers in 9 countries, LaW will conduct legal analysis about how CL can be operationalised in each country, following the CL checklist we have developed/trialled in 4 countries.	12	x	x	x	x								
2.2	ICEL, LAGA, WTI and Law will host technical workshops in 9 countries with legal experts to	12			x	x	x	x						

Project Title: Conservation Litigation & Wildlife (CLAW)

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	refine the checklist and consider socio-legal realities of strategic litigation													
2.3	Publish 9 country-specific reports and “crib sheets” that synthesise CL laws and procedures, for dissemination via website, social media, CoP, network and events	15				x	x	x	x	x				
2.4	All partners will develop resource on “lessons learned about strategic conservation litigation”, based on a virtual workshop and discussions with partners and CoP.	3		x										
2.6	All partners and Board will build a case-selection framework, to guide selection of strategic CL case)	3		x										
2.7	LU will develop risk identification and mitigation framework through consultation with partners, based on review of other organisations’ protocols (including via IWTCF recipients) and in discussion with Board of Advisors	3		x										
2.8	LU, LaW and DLA to develop draft “mode legislation” text, to guide countries that are reforming their legislation and want to strengthen CL. Disseminate this to targeted legal experts in countries where reform is ongoing (e.g., Indonesia, Liberia, Zambia, Zimbabwe, EU)	6								x	x			
2.9	LU and LaW to develop regular online posts, with contributions from WTI, LAGA, ICEL, and disseminate via website, CoP, network and social media	36	x	x	x	x	x	x	x	x	x	x	x	x

Project Title: Conservation Litigation & Wildlife (CLAW)

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
2.10	LU to organise partner roles for public communications (blogs, website updates), and maintain/develop database of media contacts to coordinate maximum visibility for cases	36	x	x	x	x	x	x	x	x	x	x	x	x
2.11	LU to lead partners in co-authorship of blogs/editorials, website updates, and 3 key academic publications via collaborative GoogleDocs	36	x	x	x	x	x	x	x	x	x	x	x	x
2.12	LU and Law to disseminate new resources (above) via website, social and print media, CoP, network mailing list, and in-person and virtual workshops, IWTCF newsletter	30			x	x	x	x	x	x	x	x	x	x
Output 3	Active conservation litigation cases in at least 3 countries													
3.1	LAGA, WTI, ICEL to identify, summarise and propose candidate cases in 3 target countries that are locally appropriate/strategic and CLAW goals. And coordinate to identify a plaintiff for each case—most likely a government agency	6	x	x										
3.2	LU to use case-selection framework, risk-mitigation framework and Board of Advisors consultation to evaluate each case, and recommend whether/how to proceed, and mitigation	3		x	x									
3.3	LU, ELI and LaW to support LAGA, WTI, ICEL in developing damage claims for each case, via workshops, shared GoogleDoc, and convening species-conservation experts via IUCN to help provide scientific expertise	9			x	x	x							

Project Title: Conservation Litigation & Wildlife (CLAW)

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
3.4	LAGA, WTI and ICEL to coordinate with government and legal team to prepare selected case details, evidence, and legal argumentation– for comment from partners, LaW, ELI, LU	21		x	x	x	x	x	x	x				
3.5	LAGA, WTI and ICEL to formally submit cases in respective courts	6									x	X		
3.6	LAGA, WTI and ICEL to host a press release event and publicise their case. Cooperate with LU on international media campaign.	1									x	x		
Output 4	Opportunities for new plaintiffs are created, promoting and facilitating future CL lawsuits in new countries.													
4.1	Drawing on the 9 country legal analyses and general CL resources, LaW and in-country lawyers develop presentations for each country	6				x			x	x				
4.2	WTI and ICEL host in-person engagement workshops with practitioners to discuss developing future conservation litigation cases in their jurisdictions	3				x								
4.3	LaW, LU and in-country lawyers invite a targeted group of practitioners in 6 additional countries to virtual workshops to present results of legal analysis and discuss litigation potential	12					x	x	x	x				
4.4	Partners and in-country lawyers identify the most appropriate prospective future plaintiffs, and help organise 1-on-1 virtual meeting with LU/LaW	18							x	x	x	x	x	x
4.5	ELI and LU to lever international and partners’ networks co-host open virtual events for law practitioners globally	2							x		x			



Project Title: Conservation Litigation & Wildlife (CLAW)

	Activity	No. of months	Year 1 (23/24)				Year 2 (24/25)				Year 3 (25/26)			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
4.6	LU to develop a public call for proposals for groups to apply for funding for explore developing their own future cases, and select 3 groups based on case-selection and risk-mitigation frameworks and Board	3							X					
4.7	Introductory workshops with funded organisations to introduce approach and timeline/plans, and regular engagement with LU, LaW and CoP	12								X	X	X	X	
4.8	Seed-funded projects submit their litigation proposals and plans	1											X	

Project Title: Conservation Litigation & Wildlife (CLAW)

Project Summary	SMART Indicators	Means of Verification	Important Assumptions
<p><b>Impact:</b> Reduced IWT by increasing the likelihood that violators will face litigation with high sanctions, which can then be reinvested into healing harm and can send social signals about IWT impacts.</p>			
<p><b>Outcome:</b> Conservation litigation is a globally-recognised tool for tackling IWT in ways that are deterrent, remedy-focused and have potential to deliver meaningful justice and social signals</p>	<p><b>0.1</b> By Q12-Y3, at least 3 new lawsuits are filed in three core countries (Cameroon, Indonesia, India) <i>(baseline=1 lawsuit in Indonesia 2021, 1 lawsuit in France in 2019, 1 lawsuit in Cameroon 2018)</i></p> <p><b>0.2</b> By Q2-Y3, 3 new organisations external to the project plan to undertake future CL action <i>(baseline=2 NGO in Indonesia, 1 NGO in Italy and 2 Indonesian government agencies have expressed interest).</i></p>	<p>0.1 Case filing documents and case numbers</p> <p>0.2 List of organisations that apply for sub-grants for “seed funding” and summaries of their proposed cases</p> <p>0.2 Email documentation or meeting notes highlighting promising follow-up opportunities or plan to act from our workshops and 1-on-1 outreach activities</p>	<ul style="list-style-type: none"> <li>• Appropriate cases and plaintiffs can be identified, and conditions met so they can be successfully and safely litigated. <u>Mitigation:</u> We have focused on experienced, established partners who deeply understand the CL approach. We are seeking cases where the government is interested in being a plaintiff (certain in Cameroon, likely in Indonesia), which increases likelihood of success. Safety protocols in place.</li> <li>• There are future costs beyond the project time horizon (e.g., appeal). <u>Mitigation:</u> We evaluate these case/country-specific risks before litigation. We continue to identify smaller, follow-up donors to support future costs. We have already done this for 2 of the 3 cases.</li> </ul>

Project Title: Conservation Litigation & Wildlife (CLAW)

	<p><b>0.3</b> By Q3-Y3, increased public profile for the CL approach via &gt;3 international news stories; &gt;6 news stories in domestic media across 3 core countries; active social media presence, and &gt;9 editorials/blogs/articles by project members <i>(baseline = 1 article in Mongabay; 10 stories in Indonesian media; small number of social media posts as individuals/not systematic; 5 blogs produced during last project)</i></p> <p><b>0.4</b> By Q2, Y3 At least 1 government acts to propose the incorporation of CL language into their legislation <i>(baseline = proposed legal text drafted for Liberia's Wildlife Agency and Conservation International)</i></p>	<p>0.3 URL links</p> <p>0.3 List of all posts made and analytics</p> <p>0.4 Draft legislation text</p> <p>0.4 Email documentation and/or meeting notes of policy engagement</p>	<ul style="list-style-type: none"> <li>• Courts can sometimes be slow to issue their verdicts, depending on country and case. <u>Mitigation:</u> We are maximising case impacts and visibility, regardless of outcome and timeline. We are filing multiple cases, some of which we know will be resolved sooner than others (e.g., Indonesian courts are known to be faster than Brazil's)</li> <li>• Our lawsuits could be unsuccessful in court. <u>Mitigation:</u> Develop a case-selection framework and be strategic selection with selection cases, plaintiffs and jurisdictions, to maximise success.</li> <li>• Procedural mistakes, which are easy to make, means that one of the cases fail. <u>Mitigation:</u> Work with experienced partners that have familiarity with the procedures. Build on sharing practitioner lessons learned.</li> </ul>
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Project Title: Conservation Litigation & Wildlife (CLAW)

<p><b>Outputs:</b></p> <p>1. Active global Community of Practise that promotes and supports CL across jurisdictions as a tool to tackle IWT.</p>	<p><b>1.1</b> By Q2-Y1, Community of Practice (CoP) established, growing to &gt;60 new registered practitioners of people actively involved in cases/case development across &gt;9 countries, including lawyers, plaintiffs, conservation scientific expert witnesses (<i>baseline = 22 people actively involved in last project; no online community exists for conservation litigation, though one exists for climate</i>)</p> <p><b>1.2</b> By Q2-Y3, establish new Conservation Litigation Network, engaging &gt;200 student/junior and &gt;50 practising lawyers with CL concepts across &gt;9 countries, including through student "law clinic" volunteers helping with cases; presentations within undergraduate law modules in &gt;3 countries, 4 virtual global workshops targeting legal practitioners, scientists and potential plaintiffs, <i>(baseline = no hackathon or law clinics exists for CL; one workshop for law students held in Indonesia 2021; no workshops yet offered for lawyers; 6 volunteer lawyers identified)</i></p> <p><b>1.3</b> By Q2, Y1, high-profile external Board of Advisors for the project established to guide on case selection, overall strategy, maximising case visibility and risk mitigation. <i>(baseline = possible members identified)</i></p>	<p>1.1 Membership list</p> <p>1.1 Qualitative description of types of engagement</p> <p>1.1 Online forum infrastructure screenshot</p> <p>1.2 Participant list for each activity (gender disaggregated) and description of volunteer activities</p> <p>1.2 Event summaries</p> <p>1.2 Photographs</p> <p>1.2 Database of volunteers</p> <p>1.3 Names of Advisors</p> <p>1.3 Records of meetings</p>	<ul style="list-style-type: none"> <li>• People have time to commit. <u>Mitigation:</u> We are focused on a smaller, but high-quality/engaged group interested in meaningful engagement. We will keep commitments modest but attractive/meaningful. We will create incentives for participation, such as support, public profile and opportunity to attend a UK workshop.</li> <li>• These are time-consuming activities. <u>Mitigation:</u> We have budgeted heavily into staff time of people with relevant expertise</li> </ul>
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Project Title: Conservation Litigation & Wildlife (CLAW)

<p><b>2.</b> New body of resources freely available that reduces barriers for future CL cases</p>	<p><b>2.1</b> By Q2–Y2, legal report and “crib sheet” resource published for 9 countries <i>(baseline = Drafts started for Thailand, Indonesia Cameroon, Liberia, report written for Georgia in 2022. No analyses done for the other countries in the proposal)</i></p> <p><b>2.2</b> By Q4-Y1, Synthesis “lessons learned” publication by and for practitioners, highlighting best practices (case development, safety, legal procedure), <i>(baseline = no such synthetic document exists in the sector)</i></p> <p><b>2.3</b> By Q4-Y1, database of relevant cases and a comparative analysis available to serve as precedents/examples for future lawsuits <i>(baseline = draft, internal database under development).</i></p> <p><b>2.4</b> By Q2-Y1, develop both 1) risk identification and mitigation framework developed, and 2) case-selection framework, in collaboration with partners, Board of Advisors and others working on IWT enforcement, to guide strategic and safe development of CL cases <i>(baseline = no such public resource exists, although other conservation organisations likely</i></p>	<p>2.1 URL to open-access report and “crib sheet” for each country</p> <p>2.2 URL to open-access publication on project website</p> <p>2.3. URL to open-access database and analysis on project website</p> <p>2.4 URL links to two new frameworks</p>	<ul style="list-style-type: none"> <li>• These are time-consuming activities. <u>Mitigation:</u> We have budgeted heavily into staff time of people with relevant expertise.</li> <li>• Assumes that lack of technical knowledge are a limitation to people taking CL <u>Mitigation:</u> We know this is not the only barrier to taking legal action, but is certainly the first one, and one that we can help overcome. We are also providing other types of support (e.g., Community of Practise, seed funding to 5 organisations) to help overcome other barriers.</li> </ul>
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Project Title: Conservation Litigation & Wildlife (CLAW)

	<p><i>have internal processes that we will request and consider)</i></p> <p><b>2.5</b> By Q3-Y2 Model legislation prepared, based on comparative analysis of country laws and expert inputs, that countries can use as a model to help update their wildlife legislation to better incorporate liability, and engagement with receptive government agencies in &gt;3 countries (see 0.4)</p> <p><i>(baseline = no such model text exists for this type of law though we developed draft for Liberia in 2012, and we have been asked for this from Zimbabwe and Zambia)</i></p> <p><b>2.6</b> By Q3-Y3, increased CL profile via &gt;3 international news stories; &gt;6 news stories in domestic media across 3 core countries; active social media presence, &gt;9 editorials/blogs/articles by project members, &gt;36 updates to Conservation-litigation.org, and &gt;2 academic publications</p> <p><i>(baseline = 1 article in Mongabay; 10 stories in Indonesian media; small number of social media posts as individuals/not systematic; 5 blogs produced during last project; 2 journal articles, website developed with 13 posts and 8 resources)</i></p>	<p>2.5 URL to “model” legislation text</p> <p>2.5 Qualitative description of engagement with policy makers around use of the “model” legislation text</p> <p>2.6 List of media engagements by category</p> <p>2.6 URL to copies</p>	
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Project Title: Conservation Litigation & Wildlife (CLAW)

<p><b>3. Active conservation litigation cases in at least 3 countries</b></p>	<p><b>3.1</b> (see 0.1) By Q3-Y1 Target high-profile cases, defendants and plaintiffs identified in 3 countries <i>(baseline=1 such case filed in Indonesia in 2021, 1 similar case in France 2019, 1 case in Cameroon 2018)</i></p> <p><b>3.2</b> By Q2-Y2, minimum of 3 cases submitted in courts, at least one in each India, Indonesia and Cameroon <i>(baseline = as above)</i></p>	<p>3.1 Summary describing cases</p> <p>3.2 Case filing documents and case numbers</p>	<ul style="list-style-type: none"> <li>• See Outcome-level assumptions</li> </ul>
<p><b>4. Opportunities for new plaintiffs are created, promoting and facilitating future CL lawsuits in new countries.</b></p>	<p><b>4.1</b> By Q1-Y3, partners host in-person workshops for practitioners in the 3 core countries, and LaW and LU host virtual workshops in the 6 additional countries. These will introduce CL and recruit future plaintiffs <i>(baseline = 3 CL workshops held in Indonesia, but 0 in India or Cameroon)</i></p> <p><b>4.2</b> By Q3-Y3, LaW, LU partners organise &gt;20, targeted one-on-one discussion calls with prospective plaintiffs (government, community, NGO)</p>	<p>4.1. Participant and organisation list (gender disaggregated)</p> <p>4.1 Meeting notes, highlighting promising follow-up opportunities</p> <p>4.2 List of organisations met</p> <p>4.2 Meeting notes, highlighting promising follow-up opportunities</p>	<ul style="list-style-type: none"> <li>• Assumes that lack of technical knowledge are a limitation to people taking CL <u>Mitigation</u>: We know this is not the only barrier to taking legal action, but is certainly the first one, and one that we can help overcome. We are also providing other types of support (e.g., community of practise, sub-grants) to help overcome other barriers.</li> <li>• We have adequate, quality expressions of interest from</li> </ul>

Project Title: Conservation Litigation & Wildlife (CLAW)

	<p><i>(baseline = &gt;20 potential plaintiffs engaged in last project)</i></p> <p><b>4.3</b> By Q3-Y2, LU, ELI and LaW co-host 2 global, virtual workshops for practitioners to introduce the approach, inspire action and build community (e.g., for judges, prosecutors, officials, NGOs) <i>(baseline=1 global workshop hosted in 2021).</i></p> <p><b>4.4</b> By Q3-Y2 three “seed funding” grants awarded globally, to 3 groups external to this project for them to initiate CL cases in their context <i>(baseline = no such grants available)</i></p>	<p>4.3. Participant and organisation list (gender disaggregated)</p> <p>4.3 Meeting notes, highlighting promising follow-up opportunities</p> <p>4.4 Copy of advertisement recruiting applicants</p> <p>4.4 Sub-grant agreements</p> <p>4.4 Description of cases they are exploring to litigate</p>	<p>external parties. <u>Mitigation:</u> Our experience to date suggests this unlikely to be an issue, as we already have several expressions of interest</p>
<p><b>Activities</b></p> <p>1.1 LaW to establish online CoP platform (LinkedIn “closed” group) for practitioners as a hub for CL community, growing the CoP with targeted invitations via the partners and engagement activities.</p> <p>1.2 LaW and LU to maintain active CoP member engagement via posts of news, questions, consultations, organising discussion threads</p> <p>1.3 LaW and LU to establish a broad/inclusive network of people interested in CL/keeping in touch, via new mailing list (active participants may later join the CoP)</p> <p>1.4 LU and LaW to develop a general multi-purpose “slide deck” resource, which partners can then use with legal practitioners across future workshops</p> <p>1.5 Two "hackathon" events organised via Bright Tide, which hosts these events for law firms around the world.</p>			



## Project Title: Conservation Litigation & Wildlife (CLAW)

- 1.6 ICEL and WTI to announce “law clinic” opportunities for law students, and recruit >6 students to support case development (e.g., legal research, preparing documents)
- 1.7 ICEL, LAGA, WTI, LU, LaW present strategic conservation litigation to undergraduate law modules in >3 countries via the partners
- 1.8 LU and LaW to host meetings with Board of Advisors to discuss key topics (e.g., see Indicator 2.4, 2.5)
- 1.9 LU to host 2 in-person workshops of CLAW partners, to discuss project start, case resources and frameworks, and then case develop development and strategy
- 1.10 See also engagement workshops discussed under Output 4 that also contribute to this output.
  
- 2.1 Cooperation with lawyers in 9 countries, LaW will conduct legal analysis about how CL can be operationalised in each country, following the CL checklist we have developed/trialled in 4 countries.
- 2.2 ICEL, LAGA, WTI and Law will host technical workshops in 9 countries with legal experts to refine the checklist and consider socio-legal realities of strategic litigation
- 2.3 Publish 9 country-specific reports and “crib sheets” that synthesise CL laws and procedures, for dissemination via website, social media, CoP, network and events
- 2.4 All partners will develop resource on “lessons learned about strategic conservation litigation”, based on a virtual workshop and discussions with partners and CoP.
- 2.5 LaW will develop online, free database (e.g., using Google) to populate with cases contributed by WTI, ICEL, LAGA, CoP and in-country lawyers across >9 countries
- 2.6 All partners and Board will build a case-selection framework, to guide selection of strategic CL case)
- 2.7 LU will develop risk identification and mitigation framework through consultation with partners, based on review of other organisations’ protocols (including via IWTCF recipients) and in discussion with Board of Advisors
- 2.8 LU, LaW and DLA to develop draft “mode legislation” text, to guide countries that are reforming their legislation and want to strengthen CL. Disseminate this to targeted legal experts in countries where reform is ongoing (e.g., Indonesia, Liberia, Zambia, Zimbabwe, EU)
- 2.9 LU and LaW to develop regular online posts, with contributions from WTI, LAGA, ICEL, and disseminate via website, CoP, network and social media
- 2.10 LU to organise partner roles for public communications (blogs, website updates), and maintain/develop database of media contacts to coordinate maximum visibility for cases
- 2.11 LU to lead partners in co-authorship of blogs/editorials, website updates, and 3 key academic publications via collaborative GoogleDocs

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2.12 LU and Law to disseminate new resources (above) via website, social and print media, CoP, network mailing list, and in-person and virtual workshops, IWTCF newsletter

3.1 LAGA, WTI, ICEL to identify, summarise and propose candidate cases in 3 target countries that are locally appropriate/strategic and CLAW goals. And coordinate to identify a plaintiff for each case—most likely a government agency

3.2 LU to use case-selection framework, risk-mitigation framework and Board of Advisors consultation to evaluate each case, and recommend whether/how to proceed, and mitigation actions

3.3 LU, ELI and LaW to support LAGA, WTI, ICEL in developing damage claims for each case, via workshops, shared GoogleDoc, and convening species-conservation experts via IUCN to help provide scientific expertise

3.4 LAGA, WTI and ICEL to coordinate with government and legal team to prepare selected case details, evidence, and legal argumentation— for comment from other partners, LaW, ELI, LU

3.5 LAGA, WTI and ICEL to formally submit cases in respective courts

3.6 LAGA, WTI and ICEL to host a press release event and publicise their case. Cooperate with LU on international media campaign.

4.1 Drawing on the 9 country legal analyses and general CL resources, LaW and in-country lawyers develop presentations for each country

4.2 WTI and ICEL host in-person engagement workshop with practitioners to discuss developing future conservation litigation cases in their jurisdictions

4.3 LaW, LU and in-country lawyers invite a targeted group of practitioners in 6 additional countries to virtual workshops to present results of legal analysis and discuss litigation potential

4.4 Partners and in-country lawyers identify the most appropriate prospective future plaintiffs, and help organise virtual meeting with LU/LaW

4.5. ELI and LU to lever international and partners' networks co-host open virtual events for law practitioners globally

4.6 LU to develop a public call for proposals for groups to apply for funding for explore developing their own future cases, and select 3 groups based on case-selection and risk-mitigation frameworks and Board

4.7 Introductory workshops with funded organisations to introduce approach and timeline/plans, and regular engagement with LU, LaW and CoP

4.8 Seed-funded projects submit their litigation proposals and plans