



**BIODIVERSITY  
CHALLENGE FUNDS**



## **Biodiversity Challenge Funds Projects Darwin Initiative, Illegal Wildlife Trade Challenge Fund, and Darwin Plus**

### **Half Year Report**

It is expected that this report will be a **maximum of 2-3 pages** in length.

**If there is any confidential information within the report that you do not wish to be shared on our website, please ensure you clearly highlight this.**

**Submission Deadline: 31<sup>st</sup> October 2024**

**Please note all projects that were active before 1 October 2024 are required to complete a Half Year Report.**

**Submit to: [BCF-Reports@niras.com](mailto:BCF-Reports@niras.com) including your project ref in the subject line.**

<b>Project reference</b>	<a href="#">IWT127</a>
<b>Project title</b>	Conservation Litigation & Wildlife (CLAW)
<b>Country(ies)/territory(ies)</b>	U.K., Indonesia, India, Cameroon
<b>Lead Organisation</b>	Lancaster University
<b>Partner(s)</b>	Law and Wildlife, Wildlife Trust of India, Indonesian Center for Environmental Law, Environmental Law Institute, Wildlife Conservation Society, Last Great Apes Organisation
<b>Project leader</b>	<i>Jacob Phelps</i>
<b>Report date and number (e.g. HYR1)</b>	<i>29 October 2024.</i> <i>HYR2</i>
<b>Project website/blog/social media</b>	<a href="http://www.conservation-litigation.org">www.conservation-litigation.org</a> <a href="https://www.linkedin.com/company/conservation-litigation">https://www.linkedin.com/company/conservation-litigation</a>

**1. Outline progress over the last 6 months (April – September) against the agreed project implementation timetable (if your project started less than 6 months ago, please report on the period since start up to end of September).**

Although we are not looking for specific reporting against your indicators, please use this opportunity to consider the appropriateness of your M&E systems (are your indicators still relevant, can you report against any Standard Indicators, do your assumptions still hold true?). The guidance can be found on the resources page of the relevant fund website.

**Activity 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

The first in-person workshop was held from 4-9 Sept. 2023. The second workshop is currently being planned with dates confirmed for 3-7 February 2025.

**Activity 2.1:** Cooperation with lawyers in 7 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.

We have completed this analysis for all countries..

**Activity 2.2:** ICEL, LAGA, WTI and LaW will host technical workshops in 7 countries with legal experts to refine the checklist and consider socio-legal realities of strategic litigation

Workshops have been held in India, Indonesia, Cameroon, Uganda, and the Philippines. The Brazil workshop is being planned. The Mexico workshop is being planned for early 2025.

**Activity 2.3:** Publish 7 country-specific reports and “In Brief” summaries that synthesise CL laws and procedures, for dissemination via website, social media, CoP, network and events

Reports and In Brief summaries are published for Cameroon and Indonesia. The Thai language and Bahasa-Indonesian language reports have been recently published (in addition to the English versions already up). The Uganda reports and in-brief are released, and the Philippines report is in the final lay-out stage.

**Activity 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.

Published online.

**Activity 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 >7 countries

This database has been completed, and is currently being formatted for publication as an online database.

**Activity 2.8:** LU, LaW and DLA to develop draft “model 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)

The text of the model legislation is under development and scheduled to be completed by early 2025. As part of this, CL was engaged in the Model Forest Act Initiative (MoFAI) initiative held in Indonesia in July 2024, which provides a new pathway for the resource to be used.

**Activity 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

CL continues to use LinkedIn to share news and updates, and to engage with our community, along with our partner contributions.

**Activity 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

CL has developed a list of 7 priority international media contacts that we will reach out to as our cases become public. We also have blog contributions from 2 of the partners. The website and social media are actively maintained.

**Activity 2.11:** LU to lead partners in co-authorship of blogs/editorials, website updates, and 2 key academic publications via collaborative GoogleDocs

Since our 2023-24 annual report, 9 additional blogs/editorials have been added to our website. We have 2 journal manuscripts in process, one has been invited for submission to *Nature Sustainability*.

**Activity 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

Our new resources have been shared with our community of practice through WhatsApp, emails, our new newsletters, and social media.

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

Baseline legal analyses required to do this outreach have been completed, and we are working with our partners and in-country lawyers to identify future plaintiffs, new ones of which are likely in Uganda, Liberia and the Philippines (i.e. beyond those identified in the original project).

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

The first of these international workshops/webinars was held on 29 May 2024, titled "Rights of Nature: Taking Action When Nature is Harmed" and the speakers were: Gerthie Mayo-Anda, Blair Atwebembeire, Philippe Cullet, Maribel Rodriguez, and Yaffa Epstein. This webinar was well attended (79 attendees).

The second workshop is scheduled for 15 October 2024, titled "Climate Litigation is Also About Biodiversity" and the speakers were: Joana Setzer, Margherita Cornaglia and Rika Fajrini.

**2. Give details of any notable problems or unexpected developments/lessons learnt that the project has encountered over the last 6 months. Explain what impact these could have on the project and whether the changes will affect the budget and timetable of project activities.**

There are ongoing challenges with getting cases formally filed, especially because we are trying to work via government agencies (i.e. because of security concerns, and to build sustainability/mainstreaming), and this places the filing of cases outside of our immediate control. For example, the case in Indonesia is entirely developed and the project has invested heavily into it, but the current change of government administration and structures (the Ministry of Environment and Forestry is being separated), means that the case has still not been officially filed.

**3. Have any of these issues been discussed with NIRAS and if so, have changes been made to the original agreement?**

Discussed with NIRAS:

No

Formal Change Request submitted:

No

Received confirmation of change acceptance:

NA

Change Request reference if known: *If you submitted a financial Change Request, you can find the reference in the email from NIRAS confirming the outcome*

**4a. Please confirm your actual spend in this financial year to date (i.e. from 1 April 2024 – 30 September 2024)**

**Actual spend:**

**4b. Do you currently expect to have any significant (e.g. more than £5,000) underspend in your budget for this financial year (ending 31 March 2025)?**

Yes ☒ No ☐ Estimated underspend:

**4c. If you expect and underspend, then you should consider your project budget needs carefully.** Please remember that any funds agreed for this financial year are only available to the project in this financial year.

**If you anticipate a significant underspend because of justifiable changes within the project, please submit a re-budget Change Request as soon as possible. There is no**

guarantee that Defra will agree a re-budget so please ensure you have enough time to make appropriate changes to your project if necessary. **Please DO NOT send these in the same email as your report.**

NB: if you expect an underspend, do not claim anything more than you expect to spend this financial year.

A budget change request is being prepared for submission regarding the underspend. This underspend is in relation to the change of government administration and structure in Indonesia, which was beyond the control of the project.

**5. Are there any other issues you wish to raise relating to the project or to BCF management, monitoring, or financial procedures?**

**6. Please use this section to respond to any feedback provided when your project was confirmed, or from your most recent annual report.** If your project was subject to an Overseas Security and Justice Assistance assessment please use this space to comment on any changes to international human rights risks, and to address any additional mitigations outlined in your offer letters. Please provide the comment and then your response. If you have already provided a response, please confirm when.

- Further information on the potential delivery and safeguarding risks around civil litigation would be beneficial to include.  
Please see our new [Risk Framework](#) online. We also have a new [Lessons Learned](#) document online that addresses some key delivery risks.
- It would be beneficial to clarify the evidence behind how civil cases will create incentives.  
While litigation can potentially create “incentives” for actors to comply with regulations, in the context of these cases for IWT, this is not a primary/priority change pathway.
- You should consider how the penalties given in successful cases are actually followed through and reduce harm as anticipated. This may be beyond the timeline of the project, but such monitoring would ensure the litigation results in the proper Outcomes.  
We strongly agree this is important. It is, in part, addressed by filing cases that include timelines and proposals that the judge request ongoing monitoring of implementation by the state, i.e. to ensure results. Beyond that, we definitely plan to independently monitor cases beyond the project time horizon, through to implementation of any remedies. This includes potential future appeals to push for compliance with any court orders.

## Checklist for submission

### For New Projects (i.e. starting after 1<sup>st</sup> April 2024)

Have you **responded to any additional feedback** (other than caveats) received in the letter you received to say your application was successful which requested response at HYR (including safeguarding points)? You should respond in section 6, annexes other requested materials as appropriate.

If not already submitted, have you attached your **risk register**?

<b>For Existing Projects (i.e. started before 1<sup>st</sup> April 2024)</b>	
Have you responded to <b>feedback from your latest Annual Report Review</b> ? You should respond in section 6, annexes other requested materials as appropriate.	Yes
<b>For All Projects</b>	
Include your <b>project reference</b> in the subject line of submission email.	Yes
Submit to <a href="mailto:BCFs-Report@niras.com">BCFs-Report@niras.com</a> .	Yes
Have you <b>clearly highlighted any confidential information</b> within the report that you do not wish to be shared on our website?	Yes
Have you reported against the most <b>up to date information for your project</b> ?	Yes
Please ensure claim forms and other communications for your project are not included with this report.	Yes