# The Norwegian chain of wildlife treaty effectiveness

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**Abstract**

For international agreements on wildlife protection to have an effect, several actors (collective and individual) must play their roles on a ‘chain’ that goes all the way from the global to the local. States must agree on the contents of the treaty, policymakers must change the national law, governments must allocate resources to implement the new agreement, and practitioners must familiarise with the new rules and enforce them. This chapter, using Norway as a case study, examines the functioning of those links regarding two wildlife treaties: CITES (1973) and the Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979). It identifies malfunctioning in each of the links. This study contributes to studies of regime effectiveness.

*Keywords:* Bern Convention, CITES, Norway, regime effectiveness studies, wildlife law.

## Introduction

In the past seven decades, more than two thousand treaties that pertain to wildlife have been ratified (Brandi et al., 2019). Treaties are written agreements of two or more states, regulated by international law—the international community trust them the task of preserving wildlife. Yet this plethora of international wildlife treaties cannot automatically be equated with increased preservation of wildlife. From 1970 to 2016, ‘between 17,000 and 100,000 species’ have become extinct (van Uhm, 2016, p. 19), and there has been ‘an average 69% decline in the relative abundance of monitored wildlife populations around the world between 1970 and 2018’ (WWF, 2022 p 5). Beyond being ratified, wildlife treaties need to be implemented to have an effect.

Treaties impact reality through a chain of effectiveness that go from the international to the national to the local (Liljeblad, 2004). The links of the chain are: international proposition, state ratification, domestic implementation through legal action, domestic resource allocation, and local behavioural change (Jackson & Bührs, 2015; Underdal, 1992). A whole field of research exists to analyse each of the links in the chain and evaluate the conditions under which a treaty will be effective: *regime effectiveness studies* (Underdal, 1992).

Scholars investigating regime effectiveness face a major challenge: The further away the phenomena being investigated is from the treaty, the more difficult it is to arrive at decisive conclusions about effectiveness. It is, for instance, risky—to say the least—to claim that the text of a treaty *caused* the change of behaviour of a society. Too many complex elements are at play to claim causality. This difficulty notwithstanding, scholars can gather data to identify the *correlation* of treaties with changes in the international, national, and local levels. Trends provide insights into how treaties work and the conditions under which they thrive.

We know, for example, that treaties that are broad and with few binding obligations attract more signatory parties than those that are focused and contain compulsory duties (Bodansky et al., 2017); preferential trade agreements elicit more domestic legislative action than international Environmental agreements (Brandi et al., 2019); states with a federal political structure are more likely to allocate resources than unitary states (Mauerhofer et al., 2015; see also Stefes, this volume); and, behaviour is more likely to change in states where stakeholders participated in the adoption of the treaty than in those from which stakeholders were excluded (Atisa, 2020). Few scholars have undertaken the task of evaluating the full chain of implementation of wildlife treaties. Jonathan Liljeblad (2004) attempted to cover the full effectiveness chain of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and unsurprisingly argued that countries struggle to create global to national and national to local linkages to implement the convention.

In this chapter, I contribute to regime effectiveness studies by investigating the chains of implementation of two wildlife treaties: CITES (1973) and the Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979). I do so through a case study focused on Norway, part of the CRIMEANTHROP project[[1]](#footnote-1). The effectiveness of wildlife treaties in Norway is polemic. Commentators argue that the state engages in state crime through its constant breaches of the treaties and that the states intentionally go against its commitments by euthanizing species (regarding the Bern convention see Sollund & Goyes, 2021 and Trouwborst et al. 2017; regarding CITES see Sollund, 2021).

As I show in this chapter, Norway is threatening the species it promised to protect. Where does the failure in the chain of implementation lay? I endeavour to respond to this question in this chapter, which is divided in four sections after this introduction. In *Link one: The Conventions*, I present the background information of CITES and the Bern Convention and evaluate the stage of treaty proposition. *Link two: Domestic legislation* contains the evaluation of the legislative action Norway undertook to implement the treaties. In *Link three: Behavioural Change*, I detail how much the conventions affect the practice of wildlife policy practitioners. In the *Conclusion* I compare the findings of this case study with the general literature.

## Link one: The conventions

Wildlife treaties are part of International environmental law (IEL). The protection of wildlife is one of the primary concerns of IEL, and treaties are an important instrument to this end. Yet, several caveats frame the ways in which IEL endeavours to protect wildlife. First, national sovereignty is the cornerstone of IEL (Dupuy & Viñuales, 2019). Principle 21 of the Declaration of the United Nations Conference on the Human Environment (1972, the Stockholm Declaration) reads:

States have…the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction (United Nations, 1972).

Commentators disagree on their evaluations of the sovereignty principle. Some praise it for being a tool against colonialism (Schrijver, 2009); others criticise it for clashing against ideals of global justice (Armstrong, 2015).

The second caveat is that while the manifest functionof treaties in IEL is to achieve a reciprocal adjustment of interests by the states, in practice international environmental treaties are characterized by asymmetrical obligations to the parties. Environmental treaties—of which wildlife treaties are a variety—are not dependant on reciprocity but are based primarily on geopolitical divisions. During negotiations, states use their political and economic strength to frame the treaties in ways that favour their interests rather than create stipulations for the ‘global good’ (Goyes, 2017).

Third, IEL has had different interests throughout history: it began being a tool to protect nature as an economic asset. Later, it was also tasked with resolving conflicts related to the sovereignty of states over wildlife (Bodansky et al., 2017). And lately, some argue that IEL has moved from protecting wildlife as a resource, to a combination of safeguarding economic interests while simultaneously conserving wildlife for its ecological and aesthetic value (Dupuy & Viñuales, 2019). In that context appeared CITES and the Bern Convention.

CITES (1973) came into existence because various organisations, mainly the International Union for Conservation of Nature, from the 1960s made efforts to urge governments to take action to prevent illegal wildlife trade (Huxley, 2000). The original goal was ‘to set up a system through which the trade controls in importing countries could be matched with those in the exporting countries’, as a way to advance conservation (ibid, p. 11). A decade after the implementation of CITES, various NGOs began discussing issues of animal rights and animal welfare (ibid). This initiated a conflict between NGOs and the initial proponents of the convention. The latter responded with concerns that NGO intervention would ‘derail or divert the convention from its original direction’ (Huxley, 2000, p. 10). Despite debates, CITES still conserves a spirit of trade regulation (Goyes and Sollund, 2016).

The overarching goal of CITES is to ‘save wild species from extinction’ by regulating wildlife trade (Hutton & Dickson, 2000; Wyatt, 2021; Sollund and Lie’s introduction, this volume), and it commits to sustainability in order to maintain trade (Sollund, 2019). Its main mechanisms are ‘regulation and restriction of the international trade in wildlife’ (Hutton & Dickson, 2000, p. 15). CITES uses a system of three lists of endangered species: ‘Appendix I lists species that are the most endangered among CITES-listed animals and plants….They are threatened with extinction and CITES prohibits international trade in specimens of these species except when the purpose of the import is not commercial’. Yet, there are exceptions—with a commercial reasoning—for travelling exhibitions and circuses. Appendix II ‘lists species that are not necessarily now threatened with extinction but that may become so unless trade is closely controlled’. Appendix III ‘is a list of species included at the request of a Party that already regulates trade in the species and that needs the cooperation of other countries to prevent unsustainable or illegal exploitation’ (CITES, n.d.). CITES currently has 184 parties to the convention worldwide.

Meanwhile, The Bern Convention (1979) is a regional treaty (see Sollund and Lie’s introduction, this volume). It originated in ‘a request made by the Parliamentary Assembly of the Council of Europe in 1973 requesting European regulations for the protection of wildlife’ (Diaz, 2010). Its purpose is to protect European wild plants and animals—particularly those endangered—and their habitats, as well as advancing cooperation among countries to this end. (The treaty also endeavours to protect the wildlife and habitats of some North African countries). One of the obligations that the Bern Convention imposes on states is to take suitable administrative and legal measures to maintain adequate population levels of species to secure their survival (Council of Europe Portal, n.d.). The Bern Convention also functions as a basis for ‘ample collaboration between the countries’, for instance, through collective decisions that express the ‘common view’ of the partners, and through the Emerald Network that creates natural protection areas in Europe (Bugge, 2019, p. 297).

The Bern convention also works with a system of lists: Appendix I lists ‘strictly protected flora species’, Appendix II includes ‘strictly protected fauna species’, Appendix III registers ‘protected fauna species’ and Appendix IV records ‘prohibited means and methods of killing, capture and other forms of exploitation’ (Council of Europe Portal, n.d.).

Both treaties came to existence thanks to the action of lobbying organisations with the stated goal to conserve wildlife. But, what are the latent goals of the ratified treaties? Which messages do they send? Are those messages coherent with the stated goals? I (Goyes, 2021) applied discourse analysis methodology to 1) the bulk of documents that shape the treaties. 2) 100 Resolutions of the Meetings of the Parties to the Convention of CITES (1979–2019), 3) nine Resolutions of the Standing Committee of the Bern Convention (1989–2019) and 4) 208 Recommendations of the Standing Committee of the Bern Convention (1982–2019).

My main finding is that both treaties allow the use of wildlife for profit-making. They are *econocentric*: concerned with economic health at the expense of environmental and human health, wellbeing and protection (Brisman et al., 2018; Brisman & South, 2018; Goyes & South, 2019; McClanahan, Brisman, & South, 2015). This coincides with what other researchers have argued (see e.g., Sollund, 2019)—and is a problematic basis for treaties that allegedly intend to protect wildlife.

The treaties also contain a decision-making monopoly. They rely on quantitative science and on instrumental political knowledge. These knowledge systems are mechanisms used to impose social organisation: they allocate exclusive power to some actors to regulate behaviour in relation to wildlife, while denying the possibility for more open, democratic and argument-based ruling. For instance, scientific quantitative language is a *monopolised* social language because it silences everyone beyond the inner circle (Christie, 2009). This produces a context in which very few actors are able to participate in determining the distribution of social goods, such as respect for one’s life and habitat, in the arena of wildlife management. While, for example, NGOs are ‘welcome to observe’ the Standing Committee meetings of the Bern Convention, in practice their complaints usually lack power to affect the contents and implementation of the treaty. Thus, treaties exclude many stakeholders (such as NGOs and other civil society groups), something that the specialised literature has shown generates problems of implementation due to the lack of engagement, understanding, and agreement with the instrument.

Despite those similarities, I found that the Bern Convention and CITES have various contending pillars. The Bern Convention relies on regional governance while CITES underpins nationalism. CITES aims for species conservation while the Bern Convention hopes for ecosystem conservation. The Bern Convention privileges political instrumental views, while CITES argues for ‘objective’ quantitative science. Those dissimilarities also generate problems of effectiveness. States are supposed to implement wildlife treaties via *public policies:* ‘*a coordinated action plan* established by an official authority, in which resources are assigned’ (Goyes, 2015, p. 146). A public policy that implements CITES and the Bern Convention should be able to apply both simultaneously. Yet, they point in different directions, at times contradicting each other. Those tensions are mainly reflected in that policy makers will have to choose: a) be focused either on a national or a pan-European identity, b) prioritise either species or ecosystems as a whole or c) be either reliant on objective scientific knowledge or based on diplomatic considerations. Norway has focused on national economic interests deploying diplomatic power to justify its decisions. The contradictions also give policy makers discretional powers. They can cherry pick the logics they want to embrace from the conventions, as long as they stick to econocentrism. The ambivalence of the treaties combined with the permanent sovereignty doctrine removes from the conventions the ambitious commitment that inspired them to protect wildlife.

The evaluation of *the treaty* part of the chain predicts problems with the effectiveness of CITES and the Bern Convention. Based on such problematic basis, how does domestic implementation work?

## Link two: Domestic legislation

The Norwegian state uses a *dualistic principle* regarding treaties and national law. The dualistic principle means that ‘international law first becomes national when the relevant Norwegian authorities have decided on the measures that transform international rules into Norwegian law’ (Bugge, 2019, p. 84). In other words, international law is relevant in a Norwegian territory only once national authorities create laws on the topic (Aarli & Mæhle, 2018). In case of conflict, authorities should prioritise national law over international mandates (Bugge, 2019). Norway has two methods of converting international law into national law: *transformation,* in which parliament issues laws that ‘fulfil the commitments derived from the treaty’ (Aarli & Mæhle, 2018), and *incorporation,* in which the international rules are made national as they are.

To understand how Norway transformed the two treaties into domestic legislation, I studied the *critical legislative events* of the process. Critical legislative events are ‘the points at which laws are produced that provide a new approach to a problem’ (Chambliss, 1993, p. 3). Regulation 1276 of 2002 marked a new way of incorporating CITES’s obligations in the country, and the Nature Diversity Act of 2009 supposedly embraces the commitments derived from the Bern Convention. For both regulatory instruments, which are the relevant critical legislative events, I studied the texts of the laws, parliamentary initiatives and pre-legislative research. Most of those documents are available on Lovdata (https://lovdata.no) except for the pre-legislative research of Regulation 1276 of 2002, which I accessed through a right of petition to the Ministry of Foreign Affairs. The Bern Convention and CITES have generated much legislative activity in Norway. Lovdata, the foundation that publishes Norwegian judicial information, lists 98 documents associated with laws connected with CITES and 246 from the Bern Convention (laws, parliamentary initiatives, pre-legislative research, public propositions, reforms, registries, regulations and speeches).

Then, to understand the broad social dynamics that dictated the way in which Norway implemented the treaties, I connected the critical legislative events with *socio-environmental critical events*, the most important conflicts in Norway about human interaction with nature. All the material I used to map socio-environmental conflicts was archival and included communications from the parliament about the environment, court rulings and historical material.

The trajectory along which Norway internalised the mandates of CITES and the Bern Convention is short and straightforward, but it internalised each of the conventions differently. When Norway ratified CITES in 1976, the government took into consideration that the existing legal framework contained all the necessary tools and mechanisms to fulfil the mandates of the convention (Arntzen de Besche Advokatfirma As, 2017). The country’s authorities used existing general regulation for imports and exports and a regulation under the Animal Welfare Act on import of exotic species, with the only twist that it was the Ministry of Environment that oversaw issuing trade authorisation for listed species. The adoption of CITES occurred through *hard incorporation*, that is, using the exact text of the convention. In 1983, the government revised Article 1a of the *Regulation on the Completion of Imports* (*Forskrift om gjennomføring av innførselsreguleringen*), to ensure practitioners would use the text of the convention itself. In 1989, the Directorate of Environmental Protection reconsidered hard incorporation and began drafting a CITES-specific regulation. The main failure, in the Directorate’s eyes, was that existing regulation was ‘completely generic’ thereby failing to meet the demands of ‘the rule of law’, ‘public information’, and ‘penal prosecution of illegal trade with endangered species’ (Utenriksdepartementet, 2002, p. 566). Those failures were identified by two other actors: the Norwegian Tax Administration, which sought to clarify the terms and procedures, and environmental NGOs, which sought to strengthen the protection of nature (Bugge, 2019).

While the discussions of Norway’s integration into the European Union delayed the initiative to create a specific CITES regulation for over a decade, on 12 November, 2002, the Norwegian Ministry of International Affairs (Utenriksdepartementet) put forward a Royal Resolution—a decision the king approves upon the initiative of the government—to ‘formalise the CITES framework, which has been implemented in Norway since the Convention was ratified on July 27, 1976’ (Utenriksdepartementet, 2002, p. 564). The outcome was Regulation 1276 of 15 November 2002 known as the Regulation of Implementation of the Convention of March 3, 1973, on International Trade of Endangered Species of Wild Flora and Fauna. Regulation 1276 of 2002 uses the technique of *soft incorporation*, that is, using the convention as a template but with minor changes, copying most of the convention in an internal regulation (thereby using it as a framework law) but making some changes in accord with national regulations and internal interests. In the words of the Ministry of Foreign Affairs, Regulation 1276

mainly follows the mandates of the Convention but when it comes to the regulation for the species on list I, the suggestion is formulated as a prohibition but with possibility for dispensation. In practice, the outcome is the same as in the Convention because the requirements for authorisation of these species in the Convention are so strict that in reality it means prohibition (Utenriksdepartementet, 2002, p. 566).

In comparison, the Bern Convention is incorporated into Norwegian law through *transformation*. The Arntzen de Besche law firm neatly expressed this: ‘the [Bern] Convention is not directly incorporated into Norwegian law, but the Convention’s commitments are fulfilled particularly through the *Nature Diversity Act and the Wildlife Law* [NDL]’ (Arntzen de Besche Advokatfirma As, 2017). The Norwegian government confirmed twice that it transformed its commitments derived from the Bern Convention into the NDL. First, when proposing the NDL, The Ministry of Climate and Environment wrote, ‘the Bern Convention is an important premise for most of this law’s decisions’ (Miljøverndepartement [Norwegian Environment Agency], 2008-2009, p. 48). Second, in the biennial report that Norway sent to the Bern Convention’s Standing Committee for the 2009–2010 period, in which the government noted the issuing of a ‘new act on nature diversity’, which sought to ‘protect biological, geological and landscape diversity and ecological processes through conservation and sustainable use’ (Norway to the Standing Committee of the Bern Convention, 2015, p. 3).

The NDL is the overarching Norwegian law for the protection of the biological, geological and ecological diversity of the country’s natural environment. NDL focuses on the protection and sustainable use of nature, particularly on preserving diversity for the present and the future. The law also intends to protect ecosystems based on their role in the survival of endangered species and for their cultural, aesthetic and scientific value. In addition to deterring negative interventions in nature, NDL also includes positive actions in support of the law’s goals (Bugge, 2019). NDL’s Article 5 centrally establishes that ‘species and their genetic diversity must be protected in the long term, and that species’ populations are able to survive in their natural environments.’ In practice, however, the law is informed by the desire to balance the protection of the species and their ecosystems, the freedom to exploit wildlife economically and the protection of interests that are threatened by the presence of wild carnivores (ibid, p. 262). For instance, Article 18 allows for the killing of wild, critically endangered predators to prevent damage to livestock.

When incorporating CITES’s mandates, Norwegian legislators copied the text of the convention. In contrast, when internalising Norway’s obligations derived from the Bern Convention, Norwegian lawmakers rephrased the text. Why? The Norwegian Ministry of Climate and Environment hinted at the answer in its proposition of the NDL: ‘trade sets some limits on the means to advance the protection and sustainable use of natural diversity. The Ministry has responded to those limits in its legislative work’ (Miljøverndepartement, 2008-2009, p. 158). The ministry was concerned that the NDL would stand in the way of economic growth. CITES, because it promoted trade, could be incorporated into Norwegian law, whereas it was necessary to rephrase the Bern Convention, that is, transform it, because it had the potential to interfere with economic profit. Norwegian lawmakers’ respect for economic concerns is not coincidental: a century of environmental conflicts in Norway engrained deference to economics in the government.

Therefore, the second link (*domestic legislation)* was pretty much defined by economic factors and internal political affairs, more than by the stated rationale of the treaties *(first link)* of protecting wildlife*.* As I described above, both treaties are econocentric. The latent spirit of the treaties thus informed the domestic action.

How does the contents of the treaties and of the domestic legislation affect the behaviour of those in charge of implementing them?

## Link three: Behavioural change

The *narrative turn* in the social sciences came about most strongly in the early 1980s, when scholars began to explore in depth the centrality of stories in processes of individual cognition, building images of the self, and community identity and behaviour (Maines 1993). Sociological interest in stories and storytelling was present before the advent of the narrative turn, mainly in the work of symbolic interactionists with an interest in ‘how people gave accounts to avert threats to their self-image and status’ and of ethnographers documenting ‘how people used stories in conversation to maintain interactional order’ (Polletta *et al*. 2011, p. 112). The narrative turn, however, paid serious attention to stories not as ‘things people told’ but as ‘things that people lived’ (Polletta *et al*. 2011, p. 112). Discourse analysts and their interest in uncovering how society, through language, builds the linguistic contexts in which people live (Gee 2014) significantly affected the narrative turn by suggesting that the discourses circulating in society become the fabric for the stories that individuals use for interpreting reality and inspiring their future behaviour.

Narrative analysis, as a valuable methodological and analytical perspective, has burgeoned in the social sciences during the last three decades and is also gaining traction in the physical sciences. In this context, the interdisciplinary sector of ecological management and restoration is increasingly embracing a narrative approach. Contemporary analyses include explorations of how stories are fundamental for co-producing networks of environmental governance and to inspire collaborative behaviour (Ingram *et al*. 2014), research on the value of stories in facilitating participatory environmental governance by bringing together disperse informal networks (Ingram *et al*. 2019), and studies of how community and political narratives about environmental resources can result in ineffective policies despite evidence that better options exist (Warner 2019).

In wildlife conservation and restoration sectors, storytelling has not yet been recognised as an important and effective technique for engaging behaviour changing pathways. Yet, Redford and colleagues (Redford et al., 2012, p. 757) remind academics of the importance of stories in studying those sectors:

The stories conservation practitioners have told to gain public support may be chosen for analysis rather than the science underlying them. Our reliance on storytelling is understandable because storytelling is an ancient human behaviour and a very effective way to engage an audience. We tell compelling stories about the impending loss of a species and the speed of ecosystem destruction. We tell success stories to inspire people to replicate success. These stories, originally told by conservation practitioners, are written down and widely shared by public affairs, development, and communication scribes. As with court scribes of old, these scribes make the stories more engaging, more inspiring, and scarier—with the aim of engaging more donors and reaching a broader public.

The overall knowledge about the power of stories contrasted to the latent awareness of their importance in the conservation and restoration sectors inspired me to study the stories offered by wildlife management stakeholders (activists, civil servants, and parliamentarians) to evaluate if—and eventually to which extent—wildlife treaties and their derived domestic legislation affect behaviour.

Between February and October 2021, I interviewed 15 core stakeholders in the management of Norwegian wildlife,[[2]](#footnote-2) five from each of three groups: First, members of the Standing Committee on Energy and the Environment of Stortinget, the Norwegian parliament. Arguably, Stortinget is the most important institution in Norway for wildlife management. These interviewed parliamentarians represent four of the nine political parties represented in Stortinget when I conducted the interviews: Arbeiderpartiet (The Labour Party), Miljøpartiet De Grønne (The Green Party), Rødt (The Red Party), and Venstre (The Liberal Party). Arbeiderpartiet is the largest party in Norway, with the most representatives in Stortinget and a long history of being in government. The three others are amongst the parties that are considered most animal friendly by animal protection NGOs.[[3]](#footnote-3) Second, civil servants of the Ministry of Climate and Environment, Norwegian Environment Agency, Norwegian Scientific Committee for Food and Environment, and Norwegian National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim). These are all government or government funded organisations. Third, representatives of some of the principle nongovernmental organisations championing wildlife protection in Norway: Foreningen Våre Rovdyr (Union for our Predators), Greenpeace Norway, NOAH (For Animal Rights), and World Wildlife Fund Norway.

But what is a story? And how can stories be useful for understanding human action? A story is a constructed work that ‘creates a connection and has a meaning, gives the unmanageable a manageable form’ (Andersen 2008, p. 125). Four elements underlie the structure of all stories: an *opening* that introduces what the story is about and who the characters are, a *challenge* that describes what the characters need to accomplish, an *action* that addresses the challenge, and a *resolution* that presents how the characters and their world have changed as a result of the action (Schimel 2012).

Interviewing five individuals per group allowed me to collect narratives from central stakeholders in the design and implementation of wildlife management. In choosing the interviewees, I considered their proximity to *and* interest in environmental matters. My expectation was that they were in the best position to have relevant knowledge of the application of wildlife treaties in their spheres. The interviews were *narrative*, centred on ‘the stories the subjects tell, on the plots and structures of their accounts’ (Brinkmann & Kvale, 2015, p. 178) and usually revolved around a ‘generative narrative question’ that invited interviewees to talk freely and tell stories (Flick, 2005, p. 97). In the interviews, I requested participants’ *stories* around the axes of personal identity, personal beliefs, professional practice (including anecdotes), interaction with international wildlife treaties, and their views on the best way to manage wildlife.

More importantly, NGOs, civil servants, and parliamentarians alike do not include international environmental conventions in their repertoire of stories. Charlotte (a pseudonym), who works at an NGO did not mention *wildlife treaties* when talking about her life and work. So I asked directly, and she replied bluntly:

‘I rarely refer to them in my communications or in meetings or in advocacy work. I think we talk more from an ethical level.’

Oliver, a civil servant, only made indirect reference to the treaties in his narrative

I do not have them [treaties] very high on my mind at all.…I use my scientific principles to produce reports rather than applying the principles of the treaty to my scientific activity’.

Amelia, a parliamentarian, said:

‘They [the treaties] are not arguments I use in my daily work because it is our ideology more than laws and rules that I use…so, yes, it is a strategic use of them, as an argument’.

The only exception was William, another parliamentarian who said:

‘Wildlife treaties are important. Even when politics are not shaped by them, I know that we have ratified them and the bureaucracy must work to create the basis to include them in the decisions ahead, to comply with these conventions and treaties…even when one is not clear about them in the daily work when we define policies’.

Yet, while William is knowledgeable about the contents and particularities of wildlife treaties, he recognises their minimal impact in daily political practices.

Research in the field of conservation and restoration shows that programs need coordinated cooperation to be effective (Hames *et al*. 2014) and that narratives are crucial in determining whether stakeholder networks in environmental management cooperate or not (Ingram *et al*. 2014, 2019), yet the stories held by representatives of the three main groups of management stakeholders I interviewed lead them to mistrust each other. NGOs blame parliamentarians for not caring about wildlife, and civil servants accuse NGOs of being too emotionally involved and parliamentarians for being too driven by economics (Goyes, 2023). Parliamentarians think NGOs and civil servants fail to see the entire picture. Conservation and restoration scholars have also demonstrated that the success of conservation and restoration programs lies in proper top-down management in addition to bottom-up initiatives (McDonald 2003). Yet, NGOs, civil servants, and parliamentarians like Amelia do not include international environmental conventions in their repertoire of stories. A result may be that the highest order of instruction for wildlife management remains unused because international conventions seemingly fail to penetrate the repertoire of stories of those in charge of applying them.

## Conclusion

The effectiveness of wildlife treaties depends on a chain that goes from the international to the local. One can divide the chain in many links depending of the level of detail one wants to include, but a basic structure contains three links: the contents of the treaty, the national legislative action derived from the treaty, and the local implementation of the treaty by stakeholders. Regarding those three links the scientific literature has established that the treaties that are vague and impose less obligations tend to be more ratified by states (link one). States deploy more resources to faithfully legislate the treaties that deal with trade than with conservation (link two). Local stakeholders are more prone to change their behaviour if they participated in the process of integrating the treaties into domestic legislation (link three)—their inclusion in the process makes them more engaged with the policy and more willing to transform their views and practices following the guidelines. Wildlife treaties struggle to make the chain of implementation work (links one to three).

Comparing the general knowledge with my findings about the Norwegian chains of implementation of CITES and the Bern Convention, shows that:

*Link one:* The treaties should work in tandem to shape the public policy of the signatories. Yet, the many contradictions between them provide broad discretionary powers to the parties—something that translates into ambiguous obligations. As the general literature correctly predicts, many states have ratified both treaties, presumably due to their vagueness (i.e. both a lack of direct commitments and a lack of “teeth” to enforce the few specific obligations).

*Link two:* The Norwegian state has strictly implemented CITES mandates in the country, while taking many liberties when legislating the obligations derived from the Bern Convention. The explanation to that phenomenon is that while CITES is a trade treaty, the Bern Convention might hinder broader and more significant trade interests, particularly those related to animal husbandry and hunting. Once again, the general literature correctly predicted that trade agreements are prioritised over conservation ones.

*Link three:* Out of the fifteen interviewees, only one incorporated the treaties into their narratives. That person was an experienced parliamentarian who participated in the debates about whether to ratify them. The treaties were absent from the stories most stakeholders told, which suggests that the treaties failed to affect their behaviour. Again, the literature correctly predicts that failures in incorporating stakeholders into the national debates about the treaties derives in absence of changed behaviour.

In conclusion, CITES and the Bern Convention are effective in the two first links of the chain of effectiveness. They advance the econocentric view at their latent core. They are less effective, however, on the third link, as they risk failing to change the behaviour of the practitioners in charge of implementing them.

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2. Approved by the Norwegian Centre for Research data. [↑](#footnote-ref-2)
3. See e.g. <https://dyrevern.no/landbruksdyr/stor-valgguide-pa-dyrevelferd-hvilket-parti-er-best/> and <https://www.dyrsrettigheter.no/noah/ditt-valg-deres-fremtid-2/>. [↑](#footnote-ref-3)