



# METHODOLOGY

## Tool for mapping relevant normative instruments

**SWM SUSTAINABLE  
WILDLIFE  
MANAGEMENT  
PROGRAMME**



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### 1. INTRODUCTION TO THE MAPPING TOOL

This methodology is developed to contribute to the achievement of “Result 1” of the Sustainable Wildlife Management (SWM) Programme, namely, “improve the institutional and legal frameworks for sustainable wildlife management”. It is designed to facilitate the use of the “**tool for mapping relevant normative instruments**”, also referred to as annex 1.

Annex 1 provides a detailed mapping of the legal framework of interest and allows an overview of its structure. This facilitates the identification of potential obstacles to legal certainty including the ambiguities deriving from legislative drafting techniques, the lack of mechanisms to implement policies and/or laws as well as the existence of obsolete normative texts.

The use of this tool is the preliminary step to any in-depth analysis of statutory law. The analyses will be carried out based on the other SWM Programme legal diagnostic tools, namely for reviewing domestication of international instruments (annex 2a), assessing strengths and weaknesses of national legal framework (annex 2b) and assessing the enforcement and implementation of wildlife related legislation (annex 4).

In order to implement this tool it is necessary to proceed to: i) the identification and collection of normative texts and ii) their transformation into digital files and labelling. This will allow the tool to be filled in with information on the relevant normative texts, and the linkages between them.

### 1.1. Identification and collection of normative texts

The first step is to make an inventory of all the relevant normative texts governing the areas of interest directly or indirectly related to the sustainable management of wildlife.

The texts that should be collected include the Constitution, relevant policies, laws, regulations, as well as management and/or public service contracts established at the local level on the SWM Programme sites. With respect to Common Law countries, it will also be essential to collect the relevant case law. This inventory step extends to all instruments which enable international and regional treaties/agreements to be applied and implemented in the country concerned.

For the purposes of the SWM Programme, the collection is mainly focused on the normative texts relating to the following areas: land tenure, land-use planning, forestry, wildlife, protected areas, hunting, fishing, as well as animal health and production (including aquaculture) and other relevant sectors, particularly food security and public health, among others.

### 1.2. Labelling of normative texts

The identification of the normative texts is followed by transforming the normative texts into digital files and their labelling, which is carried out using the following codes and sequence:

- 1) **ISO3 country code:** See the list of countries and their corresponding codes in the “Codes” tab of the annex 1.
- 2) **Underscore:** \_
- 3) **Type of text:**
  - **PO** – Policy
  - **CO** – Constitution
  - **LE** – Primary legislation: law, ordinance, etc.
  - **RE** – Regulation: decree, order, etc.
  - **MI** – Miscellaneous: administrative documents/circulars
  - **AG** – Agreement: international (bilateral or multilateral) agreements on the management of cross-border or shared natural resources
  - **CN** – Contract: private or public contracts of interest for SWM Programme sites
  - **RG** – Instrument of a regional organization: the direct implementation instruments of regional organizations. The instruments that require ratification will only be registered through their ratification law/decreed (LE/RE)
  - **CS** – Case law.
- 4) **Underscore:** \_
- 5) **Sector:** When the normative text covers more than one sector, the most relevant must be chosen for the preparation of the label. In this case, other sectors not mentioned in the label will be indicated later in columns C and N of annex 1.
  - **AN** – Livestock/Pastoralism
  - **WE** – Wildlife/Environment
  - **FD** – Food/Nutrition/Public health
  - **FI** – Fisheries /Aquaculture
  - **FO** – Forests
  - **LP** – Land /Land-use planning
  - **WA** – Water
  - **OT** – Other sectors. Any other relevant text that does not fall within the above sectors can be classified into this extra category. It may contain normative texts regulating, inter alia: (i) general issues such as civil or penal codes, including texts on the principles and interpretation of legislation; (ii) cross-sectoral themes such as gender, indigenous peoples and local communities, national development and poverty reduction, employment and social protection; and (iii) specific sectors, such as mining and the sale of arms and ammunition that only partially/indirectly address the theme of sustainable wildlife management.
- 6) **Underscore:** \_

**7) Number:** Indicate only the number of the normative text in figures.

When the number in figures is composed of both date and number, use only the number and exclude the date.

- Example: In the case of Law No. 2008-09 of 19 June 2008 on the Forest Code, the full number of this text is 2008-09. However, when preparing the label, only 09 will be used to identify the number of the text, which excludes the year and the typographical symbol of the number (No.).

Regarding regulations (decree, order, administrative document/circular) issued from state bodies (ministerial departments, Office of the Prime Minister, Presidency, etc.), only use the number in digits without the acronyms of the body, these will then be inserted in column “F” of the annex 1 tool but will not be shown on the label.

- Example: In the case of Order No. 60/MERF/SG/DRF of 13 June 2016 defining the procedure for the creation or allocation and management of community forests in Togo, the full number of this legal text is 60/MERF/SG/DRF. However, when preparing the label, only 60 will be used to identify the number, and the acronyms of the body and the typographic symbol of the number (No.) will be excluded.

**8) Underscore: \_**

**9) Date of the legal text (yyyymmdd format):** Use the date that appears at the beginning or at the end of the text. When the date is incomplete, use the last day and/or the last month and the last day.

- Example: In the case of Order No. 60/MERF/SG/DRF of 13 June 2016 defining the procedure for the creation or allocation and management of community forests in Togo, the date of the legal text is 13 June 2016. In the format “yyyymmdd”, it will appear as 20160613.

**10) PDF extension:** Add the “.pdf” extension because the digital files of the inventoried texts are in pdf format.

**Recap – Example**

Order No. 60/MERF/SG/DRF of 13 June 2016 defining the procedure for the creation or allocation and management of community forests in Togo will be given the following label:  
**TGO\_RE\_FO\_60\_20160613.pdf**

These texts will then be scanned and uploaded to a drop box and submitted to the FAO Focal Point for the SWM Programme.

## 2. HOW TO USE THE MAPPING TOOL

After the identification and labelling phase, it is necessary to proceed to the filling-in of this tool, which consists of the insertion and classification of the normative texts.

1) Vertically (from top to bottom)

Normative texts are classified by sector/theme, according to both their hierarchical and chronological order.

2) Horizontally (from left to right)

The different columns are filled in using the official versions of the normative texts (finalized and adopted). Consequently, the draft legislation will not be inserted in the tool.

This consists in:

- **File label (Column A):** Include the label of the digital file of the normative text to be inserted.
- **ISO3 Country codes (Column B):** Choose the country of interest from the acronym list.
- **Sector (Column C):** Include the acronym of the sector referred to in the label. If the normative text governs more than one sector, also mention the acronyms corresponding to the other sectors to which the text applies.
- **Type of text (Column D):** Include the acronym of the type of text indicated on the label.
- **Title (Column E):** Include the full title of the normative text without its number and date. Where applicable, the title should retain the reference and date of any other text referred to.

- o Example: The title, Ordinance No. 84-3 of 7 February 1984 amending Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo, will be included as follows: Ordinance amending Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo.
- **Number (Column F):** In contrast to point (7) of the section “Labelling of normative texts”, include the complete number of the normative texts, which, depending on the country, can be composed of the following elements: a serial number (e.g. No. 60), the year of adoption (e.g. 2016) and the acronyms of the body/bodies adopting the text (e.g. MERF/SG/DRF).
  - o Example: In the case of Order No. 60/MERF/SG/DRF of 13 June 2016 defining the procedure for the creation or allocation and management of community forests in Togo, the number will be **No. 60/MERF/SG/DRF**.
  - o Example: In the case of Law No. 2008-09 of 19 June 2008 on the Forest Code, the number will be **No. 2008-09**.
- **Date of text (yyyymmdd format) (Column G):** When the date is incomplete, use the last day, and/or the last month and the last day.
- **Date of publication (Column H):** Use the date of publication of the text in the Official Journal or in any other officially approved journal.
- **Date of entry into force (Column I):** The date of entry into force may not be inserted if it is not available. It would be useful, however, depending on the type of normative texts of interest, to state the general provision concerning its entry into force (e.g. for ordinary laws, this is the civil code provision concerning the entry into force a few days following the publication in the Official Journal).
- **Amends (if applicable) (Column J):** Include, where applicable, the label of the normative text which is amended by the text of interest (i.e. the one referred to in column A of the same row).

**Examples (columns J and K)** of linking the following texts, taken from the normative framework of Togo:

- Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo [**TGO\_LE\_FO\_4\_19680116**].
- Ordinance No. 25 of 2 July 1975 amending Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo [**TGO\_LE\_FO\_25\_19750702**].

In the **column K** cell of the row corresponding to Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo, it will be necessary to insert the label of the second Ordinance that amends the first one, i.e. Ordinance No. 25 of 2 July 1975.

Column A	Column J	Column K
TGO_LE_FO_4_19680116		<b>TGO_LE_FO_25_19750702</b>

In the **column J** cell of the row corresponding to Ordinance No. 25 of 2 July 1975 amending Ordinance No. 4 of 16 January 1968 regulating the protection of wildlife and the practice of hunting in Togo, it will be necessary to insert the label of the Ordinance that is modified by it, i.e. Ordinance No. 4 of 16 January 1968.

Column A	Column J	Column K
TGO_LE_FO_25_19750702	<b>TGO_LE_FO_4_19680116</b>	

- **Amended by (if applicable) (Column K):** Include, where applicable, the label of the normative text that amends the text of interest (i.e. the one referred to in column A of the same row).
- **Implements/adopts (if applicable) (Column L):** Include, where applicable, the label of the normative text that the text of interest (i.e. the one referred to in column A of the same row) implements or adopts (the latter in particular in the case of ratification of a treaty).
- **Implemented/adopted by (if applicable) (Column M):** Include, where applicable, the label of the norma-

**Examples (columns L and M)** of linking the following texts drawn from the normative framework of Togo:

- Law No. 2008-09 of 19 June 2008 on the Forest Code [**TGO\_LE\_FO\_09\_20080619**].
- Decree No. 2009-092/PR of 22 April 2009 on the organization and operation of the National Forestry Development Fund [**TGO\_RE\_FO\_092\_20090422**]. This decree implements Law No. 2008-09 of 19 June 2008 on the Forest Code.
- Decree No. 2017-076/PR of 31 May 2017 on the allocation, composition, organization and functioning of the Land Allocation Commission within the framework of classification projects [**TGO\_RE\_FO\_076\_20170531**]. This decree implements Law No. 2008-09 of 19 June 2008 on the Forest Code.

In the **column M** cell of the row corresponding to Law No. 2008-09 of 19 June 2008, insert the labels of Decree No. 2009-092/PR on the organization and operation of the National Forest Development Fund and also Decree No. 2017-076/PR of 31 May 2017 on the allocation, composition, organization and functioning of the Land Allocation Commission within the framework of classification projects, by which the law is implemented.

Column A	Column L	Column M
TGO_LE_FO_09_20080619		<b>TGO_RE_FO_092_20090422</b> <b>TGO_RE_FO_076_20170531</b>

In the **column L** cells of the rows corresponding to Decree No. 2009-092/PR and Decree No. 2017-076/PR, insert in each the label of Law No. 2008-09 of 19 June 2008 on the Forestry Code that both implement.

Column A	Column L	Column M
TGO_RE_FO_092_20090422	<b>TGO_LE_FO_09_20080619</b>	
TGO_RE_FO_076_20170531	<b>TGO_LE_FO_09_20080619</b>	

tive text by which the text in question (i.e. the one referred to in column A of the same line) is implemented/ adopted (e.g. ratification of a treaty).

- **Considerations (Column N):** These may concern the points below (this list is not exhaustive; any other relevant information is welcome):
  - when a normative text governs more than one sector, specify the acronyms of all these sectors;
  - when an instrument is considered in force while it was not gazetted, provide the appropriate justification and the source of law (e.g. judicial decision, administrative circular, doctrine);
  - when an implementing text is considered still in force while the text it is to implement is repealed or withdrawn from the legal order, provide the appropriate justification and the source of law (e.g. judicial decision, administrative circular, doctrine);
  - when a normative text dating from the colonial era is considered still in force in a state that has since become independent, provide the appropriate justification and the source of law (e.g. judicial decision, administrative circular, doctrine);
  - mention when repealed statutory instruments are not clearly identified by a newer legislation;
  - mention the draft normative texts that are being prepared or planned for the future. For these texts, it would be useful to provide as many elements as possible with regard to the framework within which they will be implemented, such as the donor, the project and the initiative;
  - mention the normative texts to which the official documents refer (i.e. the policy, the contribution, regular reports) if these documents are neither accessible nor available;
  - mention the period of validity of the texts, in particular for policies and action plans.
- **FAOLEX ID (Column O):** Indicate the FAOLEX code corresponding to the file of interest.
- **Respective website (Column P):** Indicate the website where the document is located, if different from FAOLEX.

# SUSTAINABLE WILDLIFE MANAGEMENT (SWM) PROGRAMME

Millions of people depend on the meat of wild animals for their food and income. It is an important source of protein, fat and micronutrients, especially for indigenous peoples and rural communities in the tropics and subtropics of Latin America, Africa and Asia. The demand for meat from wild animals is increasing significantly, especially in urban areas. Yet, if the hunting of wild animals for their meat is not managed in a sustainable manner, wildlife populations will decline, and rural communities will be at risk of increased food insecurity. Recent studies show that hundreds of wild species are threatened with extinction due to overexploitation for meat consumption.

Between 2018–2024, the Sustainable Wildlife Management (SWM) Programme will help improve the conservation and sustainable use of wildlife in forests, savannahs and wetlands. Field projects are being implemented in 15 countries in Africa, the Caribbean and the Pacific, and aim to:

- improve regulations on the hunting of wild animals;
- increase the supply of sustainably produced meat and fish;
- strengthen the wildlife management capacities of indigenous and rural communities;
- reduce the demand for wild meat, especially in towns and cities.

The SWM Programme is an initiative of the Organisation of African, Caribbean and Pacific States (OACPS), which is funded by the European Union (EU) and co-financed by the French Facility for Global Environment (FFEM) and the French Development Agency (AFD). It is being implemented by a dynamic consortium of four partners with expertise in wildlife conservation and food security:

- Food and Agriculture Organization of the United Nations (FAO)
- Center for International Forestry Research (CIFOR)
- French Agricultural Research Centre for International Development (CIRAD)
- Wildlife Conservation Society (WCS).

For further information: [www.swm-programme.info](http://www.swm-programme.info)



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