



Evaluation at a Glance

Wildlife Compliance Promotion and Enforcement Program

About the program

The killing of protected or managed species, the destruction of their habitat and the sale of illegal wildlife and related parts and products are among the most severe threats to global biodiversity.

Environment and Climate Change Canada (ECCC) has the responsibility to ensure that all individuals, businesses and government agencies act in compliance with wildlife protection laws and regulations. Compliance promotion and enforcement activities are an integral part of wildlife and habitat conservation and protection programs.

Compliance promotion includes any activities carried out to inform stakeholders of their obligations under the acts (for example, producing tools or informational products or through personal interactions) and encourage and facilitate voluntary compliance.

Enforcement actions ensure compliance with legal requirements through: intelligence collection and analysis, inspections, investigations and deterrence. Should enforcement officers determine that a violation has occurred, a review is conducted to determine the appropriate response, including warnings, tickets, seizure or prosecution.

Through the Wildlife Compliance Promotion and Enforcement Program (WCPE), ECCC works to conserve and protect the natural environment through compliance promotion and the enforcement of five statutes that protect wildlife. The WCPE Program is also responsible for five regulations, two emergency orders and one critical habitat protection order related to these statutes.

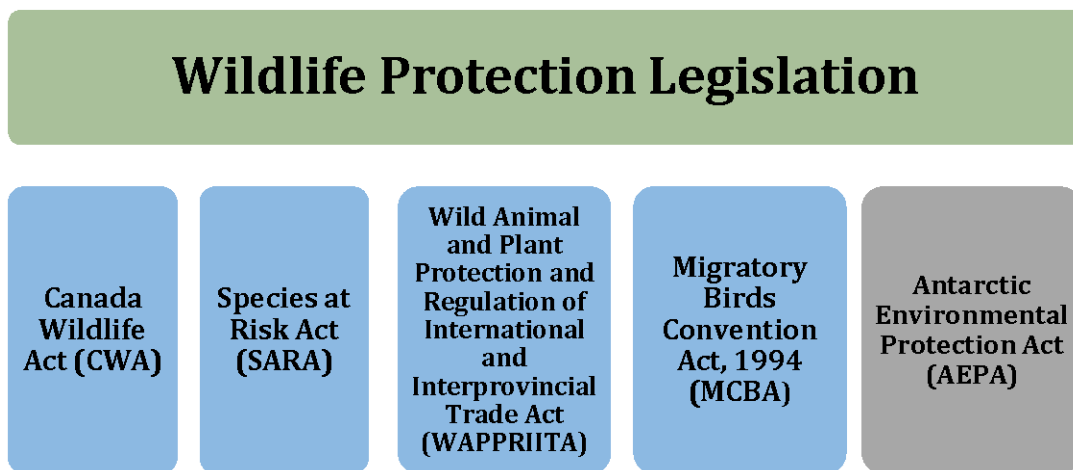


Figure 1: Wildlife protection legislation



A number of groups and organizations play a role in protecting biodiversity and addressing wildlife crime in Canada. However, the WCPE Program plays a unique role in coordinating national and international conservation efforts and enforcing international treaty obligations.

- Delivery of the WCPE Program is a shared responsibility. The Wildlife Enforcement Directorate in the Enforcement Branch is responsible for enforcement activities and the Assessment and Regulatory Affairs Directorate in the Canadian Wildlife Service is responsible for compliance promotion activities.
- The focus of the WCPE Program includes over 550 SARA-protected species, about 450 MBCA-protected species and 146 ECCC Protected Areas in Canada, as well as about 35,000 species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- The average spending for the WCPE Program was \$17.9 million per year over the five-year period from fiscal year 2012 to 2013 to fiscal year 2016 to 2017, totalling about \$89.4 million.

What the evaluation found

- Overall, the evaluation found an ongoing need for the WCPE Program.
- The WCPE Program remains relevant and is carrying out compliance promotion and enforcement activities in accordance with its mandate.
- The program is aligned with current federal priorities and is consistent with federal roles and responsibilities set out in legislation.
- While the overall approach to program design and delivery is generally sound, there was a strong agreement among key informants representing all stakeholder groups that available resources are insufficient to carry out the WCPE Program's mandate. Lack of resources for compliance promotion is the biggest perceived gap, but some key informants also mentioned insufficient resources for enforcement.
- The evaluation identified opportunities to address perceived shortcomings in program governance and the approach to performance measurement. The WCPE Program currently has no formal performance measurement strategy. Performance information is either absent or insufficient to track progress towards meeting some of its expected outcomes.

Recommendations and management response

Three recommendations are addressed to the Assistant Deputy Minister, Canadian Wildlife Service, and Chief Enforcement Officer, Enforcement Branch. They have accepted them and have developed management action plans in response.



Recommendation 1: Improve the Wildlife Compliance Promotion and Enforcement Program's data monitoring to enable adequate reporting on progress towards achieving all expected outcomes and key indicators.

Management response: The development and implementation of a performance measurement strategy (with a program profile and logic model) will enable the WCPE program to monitor and report on progress and expected outcomes. The WCPE program will collect and analyze existing data where possible and start collecting and analyzing new data (for example, exit surveys after awareness activities, online surveys with regulatees) as needed for all expected outcomes and key indicators.

Recommendation 2: Enhance Wildlife Compliance Promotion and Enforcement Program planning and delivery through greater alignment of priorities between the Enforcement Branch and the Canadian Wildlife Service.

Management response: A Memorandum of Understanding (MoU) is being developed between Canadian Wildlife Service (CWS) and the Enforcement Branch (EB) to clarify the working relationship between Branches related to prioritization and planning for regulatory development, compliance promotion and enforcement priorities, the design and delivery of compliance promotion, compliance verification, investigation and prosecution, support to enforcement operations, training and designation, and intelligence and communication reports. The objective of this MoU is to ensure a coordinated and collaborative approach between CWS and EB to achieve conservation results for Canadians. It will cover regional and headquarters roles and responsibilities related to the above listed activities for EB and CWS in relation to federal wildlife legislation and associated regulations under the responsibility of EB and CWS including: the Species at Risk Act (SARA), the Migratory Birds Convention Act, 1994 (MBCA), the Canada Wildlife Act (CWA) and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA). The MoU will be reviewed on a yearly basis and amended as required. Compliance promotion and enforcement efforts are normally targeted at new and amended regulations from a risk-based approach and to meet requirements of the Cabinet Directive on Regulatory Management; however, there are still needs for compliance promotion for well-established regulations and regulatees to ensure compliance and conservation outcomes. EB is taking a greater role in the regulatory prioritization process through more active participation in the development of the Drafting Priorities Table and the DG Regulatory Planning and Priorities Meeting in which CWS and other branches have traditionally been active so this will also improve collaboration.



Recommendation 3: Take appropriate measures to ensure that the Wildlife Compliance Promotion and Enforcement Program consider risks and optimizes resource use, to better position itself to fulfill its mandate.

Management response: Compliance promotion and enforcement efforts are normally targeted at the most high-risk compliance and conservation threats and new and amended regulations, especially with new stakeholders. The development and implementation of the memorandum of understanding as described in the management response to recommendation 2, will also help better develop, plan, cost, deliver and report collaboratively on compliance promotion and enforcement priorities annually. This will ensure that resources are aligned for priority compliance promotion and enforcement activities with any required adjustments, while also ensuring that any gaps are identified and that associated risks are articulated to inform decision making. This approach will also ensure that a risk-based prioritization framework is in place in the event that unplanned activities occur.

About the evaluation

The evaluation was conducted between September 2016 and June 2017. Information was gathered using different methods such as a document review, 32 interviews with internal and external stakeholders and two case studies.

The evaluation focused on wildlife compliance promotion and enforcement. It did not include the WCPE Program's environmental enforcement activities and the activities completed under the Antarctic Environmental Protection Act, the Commission for Environmental Cooperation or to support other ECCC branches.