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Beyond Sustainable Use: Why CITES Needs a New Theory of Change

Introduction

The publication of *A theory of change for CITES* by Challender et al. represents an attempt to articulate how the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is expected to deliver conservation outcomes. By identifying the assumptions, causal pathways and institutional mechanisms underpinning the Convention, the authors seek to provide a framework through which CITES implementation and effectiveness can be better understood.

Yet the value of any Theory of Change ultimately depends on the validity of its underlying premises. A coherent framework built upon questionable assumptions remains fundamentally flawed.

The central limitation of the proposed Theory of Change is not that its logic is internally inconsistent. Rather, it is that the paper begins from a premise that is rarely interrogated: namely, that the continued commercial use of wild animals is both legitimate and desirable, provided it is sufficiently well regulated. The question therefore becomes how trade can be managed more effectively, rather than whether trade should remain the organising principle around which international conservation policy is constructed.

This distinction reflects two fundamentally different visions of conservation. One seeks to optimise the governance of wildlife exploitation. The other asks whether the accelerating biodiversity crisis, advances in animal ethics, growing recognition of animal sentience and decades of mixed conservation outcomes require a more fundamental reassessment of the relationship between human societies and wild animals.

From the perspective of the EMS Foundation, it is this second question that has become increasingly urgent.

The Problem Begins With the Premise

Every Theory of Change begins by defining the problem it intends to solve.

In Challender et al., the problem is not commercial wildlife trade itself. Rather, the problem is ineffective governance of wildlife trade. Once this premise is accepted, the remainder of the framework follows naturally: improve regulation, strengthen institutions, enhance compliance, incentivise local communities, improve enforcement, and conservation outcomes should improve.

Yet this framing excludes an equally plausible alternative hypothesis.

It may be that the continued commodification of threatened wildlife is itself a significant driver of biodiversity decline. If so, no amount of regulatory refinement can fully address the underlying problem because the Theory of Change is attempting to optimise the very system generating the risk.

Conservation history repeatedly demonstrates that many environmental crises have ultimately required societies to abandon harmful practices rather than simply regulate them more efficiently. Commercial whaling was not solved through progressively better quotas. The international ivory trade has repeatedly demonstrated the limitations of regulated legal markets. International trade in tiger parts, rhino horn and numerous reptile species continues to illustrate how legal and illegal markets frequently become intertwined.

The question therefore is not simply whether regulation can be improved, but whether regulation can even resolve the structural tensions created by commercial demand for threatened wildlife.

A Theory of Trade, Not a Theory of Conservation

The paper repeatedly presents itself as a Theory of Change for conservation. In reality, it is more accurately described as a Theory of Change for regulating trade.

Conservation encompasses considerably more than the management of commercial utilisation. Habitat loss, ecological integrity, climate change, animal welfare, ecosystem resilience and the intrinsic value of species all lie largely outside the paper's analytical framework.

Indeed, animals themselves appear primarily as units within management systems rather than as sentient beings possessing morally relevant interests. Wildlife is discussed through the language of governance, incentives, institutions and resource management. Questions concerning suffering, social disruption, behavioural ecology or individual lives remain largely absent.

This omission reflects a longstanding anthropocentric tradition within conservation policy. However, it sits increasingly uneasily alongside contemporary developments in science, ethics and law. Recognition of animal sentience has expanded substantially over recent decades, while international jurisprudence has increasingly acknowledged that animal well-being forms part of broader constitutional and environmental values. A modern Theory of Change that excludes these developments is necessarily incomplete.

Sustainable Use Remains an Assumption Rather Than a Demonstrated Outcome

Perhaps the most significant weakness of the paper is that sustainable use functions largely as a foundational assumption rather than an empirically established conclusion.

The framework assumes that appropriately regulated trade can generate incentives for conservation. In theory this may be true under particular ecological, social and governance conditions. However, the empirical record across many CITES-listed species is far more ambiguous.

Numerous wildlife markets continue to exhibit patterns of laundering, quota manipulation, corruption, regulatory capture, weak enforcement and interactions between legal and illegal trade. Commercial demand may stimulate exploitation even where regulatory systems function relatively well. In some cases, legal markets may complicate enforcement by creating opportunities for illegal products to enter legitimate supply chains.

These are frequently characterised as failures of implementation. Yet an alternative interpretation deserves equal consideration: that such outcomes may represent recurring structural features of commercial wildlife markets rather than temporary governance deficiencies.

If this is so, then improving regulation cannot by itself resolve the underlying conservation challenge.

The Missing Political Economy

The Theory of Change devotes considerable attention to institutions while paying comparatively little attention to power.

Wildlife trade does not occur within politically neutral systems. Commercial interests, industry organisations, lobbying networks, state agencies and economic incentives all shape policy outcomes. Decisions regarding species listings, quotas, permitting systems and enforcement priorities frequently occur within contested political environments characterised by competing interests rather than objective scientific consensus.

Ignoring these dynamics risks presenting wildlife governance as a largely technical exercise when it is, in reality, deeply political.

A more comprehensive Theory of Change would explicitly recognise how financial incentives, institutional interests and regulatory capture may influence conservation decisions independently of ecological evidence.

Compliance Is Not Conservation

One of the implicit assumptions throughout the paper is that improving institutional performance necessarily improves conservation outcomes.

The relationship is considerably more complex.

A wildlife trade system may achieve exceptionally high levels of legal compliance while species continue to decline because of climate change, habitat fragmentation, cumulative mortality, demographic disruption or reduced ecological resilience.

Conversely, eliminating commercial demand altogether may produce conservation benefits that exceed those achievable through increasingly sophisticated regulatory systems. Institutional success should therefore not be confused with ecological success.

The ultimate measure of conservation must remain the long-term flourishing of wild populations within functioning ecosystems—not merely the efficiency with which permits are issued or trade is monitored.

Towards a New Theory of Change

The biodiversity crisis of the twenty-first century requires a more ambitious Theory of Change than one focused primarily on improving wildlife trade governance.

Such a framework would begin from different premises.

Rather than asking how threatened wildlife can continue to be traded sustainably, it would ask under what circumstances commercial exploitation can be ethically justified at all.

Rather than treating wild animals primarily as renewable natural resources, it would recognise them as sentient beings with intrinsic value whose lives possess significance beyond their economic utility.

Rather than measuring success principally through institutional performance, it would evaluate conservation according to ecological integrity, animal well-being, social justice, democratic accountability and the long-term persistence of wild populations.

In this alternative framework, commercial trade becomes the exception requiring justification rather than the default condition requiring better management.

Conclusion

Challender and colleagues provide a useful foundation for evaluating how the Convention is intended to function. However, it also reveals the limits of a conservation paradigm that continues to place regulated commercial use at its centre.

The question confronting conservation today is no longer simply whether wildlife trade can be governed more effectively. It is whether international conservation policy should continue to organise itself around the commercial utilisation of increasingly threatened species in the first place.

As biodiversity loss accelerates, ecological uncertainty grows and recognition of animal sentience becomes more firmly embedded in science and law, the assumptions that shaped CITES in the 1970s warrant renewed scrutiny. The challenge is not merely to refine the existing Theory of Change, but to develop a new one—one that places ecological integrity, intrinsic value, animal well-being and public accountability at the heart of conservation rather than treating them as secondary considerations.

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