

**GUYANA WILDLIFE CONSERVATION AND MANAGEMENT COMMISSION
ANALYSIS OF LEGAL FRAMEWORK GOVERNING SONG BIRD TRADE IN GUYANA**

TERMS OF REFERENCE

A. BACKGROUND OF THE PROJECT

This project, funded by the U.S Fish and Wildlife, addresses the urgent need to reduce the ecological, economic, and health risks posed by the illegal songbird trade in Guyana. Its main goal is to curb illegal and unsustainable songbird trade as part of a broader regional initiative to fight wildlife trafficking. The project's objectives include: 1) Enhancing understanding of the social, cultural, economic, political, and situational factors driving the trade, as well as conducting ecological research on bird populations, habitats, and distributions; 2) Strengthening enforcement of the legal trade by examining unintended social and ecological impacts, conducting legal reviews, and training government agencies for improved enforcement; and 3) Testing the feasibility of a songbird captive breeding program as a sustainable livelihood and trade option.

The overarching aim is to reduce illegal and unsustainable songbird trade in Guyana, aligning with regional efforts to combat trafficking.

B. OBJECTIVES

The objective of this consultancy is to conduct an analysis of the legal framework governing the songbird trade in Guyana.

C. SCOPE OF THE CONSULTANCY

The Consultant will review the Wildlife Conservation and Management Act, the Wildlife Conservation, Management and Sustainable Use Regulations, the Animal Health Act, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and any other relevant legislation and international agreements to which Guyana is a Party and which is related to wildlife management and conservation to obtain an understanding of the context of the legal framework governing songbirds in Guyana.

In conducting the review, the Consultant shall address the following:

1. **Legislative Review:** Review all national wildlife-related laws and regulations as well as any relevant international convention/framework that govern the capture, breeding, transport, trade, and sale of songbirds.
2. **Policy Analysis:** Analyze existing policies and strategies for wildlife management, conservation, and biodiversity in relation to the songbird trade. This includes policies and processes related to permits, quotas, and licensing systems.
3. **Enforcement Evaluation:** Evaluate how effectively these laws and policies are enforced on the ground, including the roles of regulatory bodies like the Guyana Wildlife Conservation and Management Commission, Customs authorities and law enforcement agencies. The effectiveness of enforcement mechanisms currently in place for ensuring compliance with songbird trade regulation including penalties, fines and monitoring processes.
4. **Comparative Analysis:** Compare Guyana's legislative framework with those of other countries known for strong regulatory systems on the songbird trade to identify best practices that can be adapted locally. Evaluate how Guyana's legal framework on the songbird trade aligns with international best practices especially concerning wildlife trade, conservation and biodiversity protection.
5. **Stakeholder Engagement:** Conduct consultations with key stakeholders such as government agencies, environmental NGOs, local communities and songbird traders.
6. **Identification of Gaps and Weaknesses:** identify any gaps, inconsistencies and enforcement challenges within the legal framework that may hinder the regulation and conservation of songbird species and enable the continuation of illegal songbird trade in Guyana.
7. **Recommendations:** Provide recommendations for strengthening the legal and policy framework, improving enforcement and sustainable management of the songbird trade.

D. DELIVERABLES

The deliverables of the consultancy are:

1. **Inception Report:** This report details the methodology, scope of work, timeline, and approach to be taken for the legislative analysis. It would also outline the key stakeholders to be engaged and data sources to be used.
2. **Legislative and Gap Analysis Report:** A comprehensive review identifying gaps, weaknesses, and inconsistencies in the existing legal and policy framework governing the songbird trade in Guyana. This report should also highlight any enforcement challenges and unintended social and ecological consequences of the current system.

3. Comparative Study of Best Practices: A document comparing Guyana's legal and regulatory framework with international best practices for regulating the songbird trade. It should outline areas for improvement and lessons learned from other regions or countries with stronger enforcement and conservation strategies.
4. Report on Stakeholder Consultations: A summary of the outcomes from consultations with key stakeholders, including government agencies, NGOs, song bird traders, and local communities. This report should capture their perspectives on the current legal framework, perceived weaknesses, enforcement challenges, and recommendations for improvement.
5. Recommendations: A set of actionable, evidence-based recommendations for strengthening the legal and policy framework governing the songbird trade. This report should include potential legislative amendments, enhanced enforcement mechanisms, and policy reforms to ensure sustainability.
6. Final Comprehensive Report: A detailed report consolidating all the findings, analyses, and recommendations. This final deliverable should provide a roadmap for strengthening the regulatory framework and supporting sustainable management of the songbird trade in Guyana.
7. Presentation of Findings: A presentation delivered to the Guyana Wildlife Conservation and Management Commission and other key stakeholders summarizing the results of the analysis and recommendations for legal reform.

E. FINANCIAL PROPOSAL

The financial proposal is to be submitted separately and must include all administrative costs including overheads, transportation, printing, copying and presentation.

F. PAYMENT SCHEDULE

Submission and Acceptance of Deliverable 1:	10%
Submission and Acceptance of Deliverable 2:	15%
Submission and Acceptance of Deliverable 3:	15%
Submission and Acceptance of Deliverables 4 & 5:	25%
Submission and Acceptance of Deliverables 6&7:	35%
Total:	100%

G. QUALIFICATIONS AND EXPERIENCE

The applicant must have:

1. Professional qualification as a Barrister or Solicitor, or an Attorney with at least 10 years post qualification experience in conducting legal analyses. Experience in conducting legislative reviews and analyses in the CARICOM region will be an asset.
2. In-depth knowledge of the judicial, administrative and legal structure of Guyana.
3. Sound knowledge of and experience with the requirements of multilateral treaties and convention to which Guyana is a Party and which relate to the area of wildlife.
4. Knowledge of environmental legislation including best practices from other countries will be an advantage.
5. A track record of involvement in inter-governmental environmental planning, policy and procedure are assets.

H. SUPERVISION

The consultant will be supervised by the Commissioner of the Guyana Wildlife Conservation and Management Commission.

I. PROJECT DURATION

The consultant is expected to commence on January 15, 2025 and end on March, 13 2026.