

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fifty-eighth meeting of the Standing Committee
Geneva (Switzerland), 6-10 July 2009

Interpretation and implementation of the Convention

Species trade and conservation

BIGLEAF MAHOGANY

1. This document has been prepared by the Secretariat.

Implementation of SC57 recommendations

2. At its 57th meeting (SC57, Geneva, July 2008), the Standing Committee adopted a set of recommendations on bigleaf mahogany. These recommendations were developed and agreed by a working group comprising representatives of exporting and importing countries, other interested stakeholders and the Secretariat. For ease of reference, the recommendations have been extracted from document SC57 Com. 3 and individually reproduced below.
3. The majority of the SC57 recommendations were directed to Peru. By letter dated 7 May 2009, the CITES Management Authority of Peru provided a written report on the actions that Peru had taken to fulfil the recommendations. A copy of the letter (in Spanish only, the language in which it was submitted) is contained in the Annex to this document. The Secretariat has also reflected, in the paragraphs below, information that it obtained through earlier communications and meetings with Peru. Any additional information which may later become available will be incorporated into the Secretariat's oral report to the Standing Committee.

SC57 Recommendation 1

The Standing Committee took note of the information contained in document SC57 Doc. 36, including the Secretariat's assessment of Peru's progress in implementing the recommendations of SC55. The Committee also took note of the information provided by Peru on recent developments, including newly enacted legislation to strengthen implementation of CITES, and other efforts to implement the recommendations made at SC55 and advice provided by the Secretariat in the context of its mission to Peru in May 2008.

4. Based on new legislation provided to the Secretariat, Peru's legislation is now deemed to be adequate for implementation of the Convention and has been placed in Category 1 under the National Legislation Project (see document SC58 Doc. 18).

SC57 Recommendation 2

The Standing Committee recognized the considerable efforts that Peru has made to improve forest sector governance, management of concessions and other forest management areas, and the effectiveness of oversight mechanisms. The Committee welcomed Peru's report that the Strategic Action Plan for Mahogany (PAEC) that had been adopted at the highest political level and encouraged Peru to implement the PAEC. The Committee also urged importing countries, relevant international organizations and others to fully support the efforts made by Peru to implement the PAEC and the Committee's recommendations.

5. Importing countries, relevant international organizations and others have been supporting Peru's efforts to implement the national Strategic Action Plan for Mahogany (PAEC). For example, in November 2008, the United States of America provided Peru with a report on its mahogany imports from Peru for that year. Copies of the report were sent to other mahogany-importing countries and the Secretariat. The Secretariat has continued to provide assistance to Peru in the context of the ITTO-CITES *Project on Ensuring International Trade in CITES-listed Timber Species is Consistent with their Sustainable Management and Conservation* (ITTO-CITES Project).

SC57 Recommendations 3 and 4

Regarding leftovers from harvesting and exports of 2007 and previous years, the Committee welcomed Peru's assurance that there were no leftovers from years prior to 2007. The Committee also welcomed information provided by Peru on the manner in which the 2007 and 2008 export quotas had been established and were being managed. However, the Committee noted the need for further improvements in the communication of information on the implementation of the quota.

Regarding the leftovers of 2007, the Committee recommended that Peru should provide a "baseline" report on the remaining volume that can be authorized for export, and subsequent reports, on a quarterly basis, regarding the disposition of the remainder of the volume authorized for harvest in 2007. Information on the authorized and verified concessions and other forest management areas where the timber was harvested should be included on the CITES permit in box 5 ("special conditions") and annexes.

6. Peru's annual report for 2007 was submitted to the Secretariat on 31 October 2008. In December 2008, Peru wrote to the Secretariat regarding a report on its 2007 mahogany export quota, related export permits and the amount of 2007 leftovers. The letter did not provide any information on Peru's implementation of the 2008 mahogany export quota. The Secretariat responded later that month advising Peru that no report had been attached to the letter and asking that such a report be provided to the Secretariat. No further communications on this issue from Peru were ever received.

SC57 Recommendation 5

As a positive step toward demonstrating implementation of the Convention, the Committee suggested that all Parties exporting mahogany consider including information on the authorized and verified concessions or other forest management areas where the timber was harvested on their CITES permits in box 5 and annexes.

7. In March 2009, Peru provided the Secretariat with copies of its 2008 CITES export permits. Permits issued from 4 August 2008 onward, in relation to mahogany quotas for 2007 and 2008, showed that Peru had included information on authorized and verified concessions, and other forest management areas where timber was harvested, in box 5 of and annexes to the permits. Peru's letter of 7 May 2009 confirmed that such information had been provided.

SC57 Recommendation 6

The Committee welcomed Peru's offer to continue including information on the volume of mahogany to be harvested from authorized and verified concessions or other forest management areas, the number of the concession or forest management area and the amount to be exported in the communication of their annual export quota, which will be made available on the CITES website. It also welcomed Peru's offer to include copies of its CITES export permits for mahogany in its annual reports to the Secretariat for 2008 and subsequent years.

8. On 24 April 2009, the Secretariat transmitted to UNEP-WCMC copies of the 2008 export permits that had been provided by Peru. Peru's annual report for 2008 has not yet been submitted and is not due until 31 October 2009. In its letter of 7 May 2009, Peru explained that it has continued to verify and approve the annual operating plans of concessionaires and native communities authorized to harvest and/or trade in mahogany. The CITES Scientific Authority had provided a non-detriment finding for use in establishing a 2009 mahogany export quota and this was under consideration by the CITES Management Authority. The final quota will be authorized under a Resolution issued by the

Management Authority and the Secretariat will be informed immediately thereafter. In the meantime, it is unclear whether Peru has been exporting mahogany in 2009.

SC57 Recommendation 7

To further enhance monitoring this trade, the Committee recommended that importers of mahogany from Peru should also report regularly, to Peru and to the Secretariat, on their imports of mahogany, including the CITES permit number, volume and quota year.

9. The November 2008 report of Peruvian mahogany imports, that the United States of America provided to Peru, contains information on the permit number, issuance date, export date, volume and quota figures. The Secretariat has not received any reports containing similar information from other importing countries.

SC57 Recommendation 8

The Committee recommended that Peru continue the practice of establishing the annual volume of mahogany to be harvested based on the advice of the Scientific Authority, using only timber from authorized and verified concessions and other forest management areas.

10. As indicated in paragraph 9 above, Peru is in the process of establishing a mahogany export quota for 2009.

SC Recommendation 9

Regarding the 2009 quota, the Committee welcomed Peru's commitment to take into account the recommendations of the commission on timber yield coefficients, as one of the factors used to calculate the export quota based on authorized harvest.

11. From 21 to 23 April 2009, a second Latin American workshop under the ITTO-CITES Project was held in Lima, Peru, to discuss regional experience in the application of yield coefficients for the control and monitoring of timber activities. The Secretariat participated in the workshop and understands that Peru will use the knowledge and skills gained during the workshop to set its 2009 mahogany export quota.
12. With regard to 2010 and subsequent years, Peru has expressed to the Secretariat an interest in shifting away from the use of mahogany export quotas and towards the use of managed and verified concessions and non-detriment findings for individual shipments. The Secretariat has received information indicating that Peru is now exporting finished products of bigleaf mahogany (e.g. doors) which are exempt from CITES coverage, pursuant to annotation #6 for logs, sawn wood, veneer sheets and plywood. The export of such finished or semi-finished products is presumably managed and tracked under a different regulatory scheme. Peru's CITES authorities should take into account the volume of such trade when setting any annual CITES export quotas or, alternatively, making individual non-detriment findings for future CITES exports.

SC Recommendation 10

The Committee reviewed all of the recommendations made at SC55 and noted that a number of them had now been addressed or had expired. However, the Committee recognized the continuing validity of recommendations c) i) and c) iii).

13. In its letter of 7 May 2009, Peru provides a comprehensive summary of the legislative provisions applicable to trade in mahogany. This information appears relevant to Peru's implementation of SC55 recommendation c) i) on the promotion of complementary tools to strengthen existing regulatory controls and verification mechanisms, and recommendation c) iii) on the re-establishment of a multi-sectoral commission against illegal logging. Peru may wish to make an oral intervention during the present meeting to provide information on its application of relevant legislation and to describe any additional actions which it may have taken to implement SC55 recommendations c) i) and c) iii).

SC57 Recommendation 11

The Committee recommended that the Secretariat continue to provide assistance to Peru, in the context of CITES-ITTO cooperation, in order to support further improvements in Peru's capacity to implement the requirements of the Convention for mahogany.

14. As mentioned in paragraph 6 above, the Secretariat has continued to provide assistance to Peru in the context of the ITTO-CITES Project. Peru was invited and received financial support to participate in the: (a) Fourth Meeting of the Mahogany Working Group and First Latin-American Workshop of the ITTO-CITES Project (Cancún, Mexico, 13-15 November 2008); and (b) ITTO-CITES Project: Latin American workshop on conversion factors. Peru has received USD 200,000 under the ITTO-CITES Project for a survey of its bigleaf mahogany population and is scheduled to receive an additional USD 150,000 for a similar survey of its *Cedrela odorata* population.

SC57 Recommendation 12

The Committee recommended that the Secretariat continue to support and monitor Peru's progress in implementing the requirements of the Convention for mahogany and report at SC58.

15. The Secretariat has continued to support and monitor Peru's progress in implementing the requirements of the Convention for mahogany. In addition to this written report, it will provide an oral report for the Standing Committee's consideration.

Additional developments

16. The Secretariat attended a meeting of the Mahogany Working Group in November 2008, where it was determined that Peru was adequately implementing Article IV, paragraphs 2 (a) and 3, of the Convention. At its 18th meeting (PC18, Buenos Aires, March 2009), the Plants Committee considered this information and agreed to remove Peru from the Review of Significant Trade for bigleaf mahogany.
17. Following the recent government restructuring in Peru, the Secretariat would appreciate an update on its designation of CITES Management and Scientific Authorities.
18. Under the ITTO-CITES Project, Bolivia is slated to receive USD 150,000 to implement a project proposal submitted by the country's CITES Scientific Authority. The CITES Management Authority, however, has not yet taken the steps necessary to obtain the release of relevant project funds and the Secretariat hopes that this will be addressed in the near future.
19. On several occasions, the Secretariat's attention has been drawn to allegations that large volumes of mahogany are being exported as semi-finished or finished products, thus avoiding international trade regulation under CITES without apparently being subject to any comparable regulatory scheme. The Secretariat will look into these allegations and would welcome any relevant information that members of the Standing Committee might be able to provide.

Recommendations

20. On the basis of information contained in the present document, and any information presented orally, the Standing Committee should determine whether the SC57 recommendations on bigleaf mahogany have been addressed and whether any further action is needed.