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

CE

Seventy-eighth meeting of the Standing Committee Geneva (Switzerland), 3-8 February 2025

Illegal trade and enforcement

Enforcement matters

TASK FORCE ON ILLEGAL TRADE IN SPECIMENS OF CITES-LISTED TREE SPECIES

- This document has been prepared by the Secretariat.
- 2. At its 19th meeting (CoP19, Panama City, 2022), the Conference of the Parties adopted Decisions 19.89 to 19.91 on *Task Force on illegal trade in specimens of CITES-listed tree species*, as follows:

Directed to Parties

19.89

Parties are encouraged to fully implement the measures and activities outlined in the Outcome document of the CITES Task Force meeting on illegal trade in specimens of listed tree species, as relevant to them, to prevent and combat illegal trade in specimens of CITES-listed tree species, and to report on the implementation of this Decision to the Secretariat.

Directed to the Secretariat

19.90 The Secretariat shall:

- seek information from Parties on their implementation of Decision 19.89 and report to the Standing Committee on the work undertaken by Parties to implement the measures and activities outlined in the Outcome document of the CITES Task Force meeting on illegal trade in specimens of listed tree species;
- subject to external funding, in cooperation with the UNODC / WCO Container Control Programme, work to undertake activities to provide training by experienced CITES enforcement officials on physical inspection of timber shipments in regions significantly affected by illegal trade in CITES-listed tree species; and
- c) where not yet done, encourage and support the undertaking of risk assessments to develop national risk indicators specific to this illegal trade.

Directed to the Standing Committee

19.91

The Standing Committee shall consider the report and recommendations of the Secretariat in accordance with Decision 19.90, paragraph a) and make recommendations to the Parties or the Secretariat as appropriate.

Implementation of Decisions 19.89 and 19.90

3. Paragraph 3.5 b) in the outcome document of the CITES Task Force meeting on illegal trade in specimens of listed tree species (hereinafter "Task Force outcome document") invites the Secretariat to issue a

Notification to the Parties to gather information on mobile phone and tablet applications for CITES-listed tree species identification currently in use and their availability to different authorities. To seek information from Parties on their implementation of Decision 19.89, as well as information as anticipated by Paragraph 3.5 b), the Secretariat issued Notification to the Parties No. 2024/079 of 4 July 2024 requesting this information and received submissions from Colombia, Guatemala, Japan, the Netherlands, Sweden, and the United Kingdom of Great Britian and Northern Ireland. These submissions are compiled in the language and format they were received in an information document for the present meeting.

- 4. The Secretariat also received information from INTERPOL and the World Customs Organization (WCO) about activities they implemented, relevant to what is outlined in the "Task Force outcome document". This information has been summarized by the Secretariat and is also presented in an information document for the present meeting.
- 5. The Secretariat summarized the information submitted in accordance with the four headings of the "Task Force outcome document" in paragraphs 6 to 31 below.

<u>Legality</u>, traceability and strengthening the implementation of CITES provisions regarding trade in CITES-listed tree species

- 6. Colombia reported the development and implementation of a National Forest Traceability System designed to track the forest product supply chain from planning and management to final market stages. This system includes several technological modules, such as online forest management and transit permits, aimed at ensuring comprehensive monitoring and control from harvest to export. Guatemala is currently updating its Procedures Manual for the trade of CITES-listed timber species, outlining necessary steps to verify legal origin and facilitate sustainable and traceable trade.
- 7. Sweden reported enforcing a strict zero-tolerance policy for shipments that do not meet CITES documentation requirements. Such shipments are classified as unlawfully imported, and the Party does not permit their return unless the country of origin provides explicit confirmation of the shipment's legal export status. In the absence of this confirmation, such consignments are subject to confiscation and are generally destroyed. When the Party detects irregularities with permits or certificates, its law enforcement authority follows up with the countries of import and export to verify the availability and validity of the required permits.
- 8. Japan indicated that it has begun assessing the technical and systematic issues that would arise from adding further electronic security features to its current management system for CITES permits. Sweden reported concerns about clarifying responsibilities for not only initial checks on CITES permits but also for follow-up actions, including investigations and potential confiscations. Sweden noted that if additional traceability information is integrated into CITES permits for timber, alignment with the European Union Deforestation Regulation (EUDR) would be necessary to avoid redundant procedures and ensure streamlined and effective regulation.
- 9. Sweden also reported that it is currently developing and implementing software designed to integrate the eCITES framework. The goal is to streamline and improve the efficiency of CITES-related workflows by facilitating better coordination between agencies involved in regulatory and enforcement processes.
- 10. The Netherlands indicated that its national laws provide for enforcement measures enabling the seizure and confiscation of CITES-listed specimens in transit or being transshipped without valid permits or certificates.
- 11. Parties shared information on different approaches regarding centralized national databases to blacklist companies or individuals involved in the illegal trade of CITES-listed tree species. Japan reported that it is not pursuing such a database and has no current plans to do so. The Netherlands noted that, while it does not maintain an official blacklist, it relies on close inter-agency collaboration to monitor and take action against repeat offenders. Sweden, citing the limited volume of CITES-listed timber imports, indicated that it does not currently maintain a blacklist but noted that such a tool could be beneficial in the future if the need arises.
- 12. Sweden highlighted that a primary challenge lies in the complexity of annotations, which makes their implementation challenging. The Party noted that this complexity is particularly problematic for distinguishing between look-alike tree species in trade that have different levels of protection under the Convention. For instance, a musical instrument labelled as made from *Dalbergia* spp. (Appendix II #15, except for species listed in Appendix I) may actually be crafted from *Dalbergia nigra* (Appendix I). This example highlighted the need for authorities to have effective tools for accurately identifying tree species in trade.

- 13. Several Parties have reported on the establishment of platforms for collaboration among national authorities. Guatemala reported establishing inter-agency cooperation that includes multiple national agencies engaged in CITES enforcement and data collection for CITES Annual Illegal Trade Reports (AITRs). The Netherlands highlighted that its authorities involved in CITES enforcement meet regularly to discuss trends in legal and illegal trade, ensuring consistent application of rules and sharing information on repeat offenders. Sweden highlighted that a multi-agency group convenes two to three times per year, fostering close collaboration among CITES authorities to support effective enforcement.
- 14. The Netherlands reported that, when goods are seized under administrative law, the importer or carrier responsible for the violation is typically required to cover all associated costs, including those for seizure, storage, destruction, or repatriation. Sweden highlighted that it disposes of seized or confiscated CITES-listed tree species immediately after investigations are concluded, thereby avoiding long-term storage.
- 15. As reported in document SC78 Doc. 33.2 on *Expedited application of Article XIII for West African rosewood* Pterocarpus erinaceus *for all range States*, the Secretariat convened a CITES regional workshop on non-detriment findings (NDF) and legal acquisition findings (LAF) for West African rosewood (*Pterocarpus erinaceus*) in Douala, Cameroon from 2 to 6 September 2024). The workshop also highlighted the measures and activities outlined in the "Task Force outcome document", emphasizing the importance that Parties submit data on seizures of CITES-listed tree species where possible at species level in their CITES AITRs

Strengthening regional and international collaboration to address illegal trade in CITES-listed tree species

- 16. Japan reported its active participation in WCO initiatives targeting environmental crime, contributing to broader enforcement efforts at an international level. Sweden highlighted the involvement of its forestry agency in the European Task Force to Counter Forestry Crime, a platform that fosters cooperation between international and national agencies to combat illegal activities in the forestry sector. Sweden also suggested expanding the WCO Harmonized System (HS) nomenclature to include a wider variety of tree species, especially commercially important tropical species, which it considers would bolster regulatory measures for these species under CITES.
- 17. Japan reported that its customs authority has established Customs Mutual Assistance Agreements (CMAAs) with 41 countries and regions. These agreements facilitate information exchange on a range of issues, including the smuggling of CITES-listed species, thereby supporting collaborative enforcement efforts and enabling more effective action against illegal trade.
- 18. Parties reported engaging in practices to support international investigations and risk assessments. Japan indicated that, upon detecting illegal trade, it collaborates with INTERPOL and WCO, sharing seizure information with relevant countries to assist in investigations and the development of risk profiles. The Netherlands reported that, when irregularities are identified, its law enforcement authorities reach out to the countries of import and export to verify permit status and share details such as *modus operandi*, shipping documentation, and transport methods, thereby facilitating coordinated enforcement efforts and enhancing information exchange across borders.
- 19. Japan reported that it includes in its AITRs data on seizures of CITES-listed tree species, though without species-level detail. The Netherlands reported that it documents all seizures and confiscations in its AITRs, and additionally shares information on emerging trends or new trade routes on the Europe Trade in Wildlife Information eXchange (EU-TWIX) platform to inform and alert other EU member States.

Detection and identification of illegal consignments of CITES-listed tree species and mobilizing available tools

20. Japan reported that it verifies CITES-listed timber shipments through document examination, ensuring permits meet CITES requirements, with physical inspections conducted as needed. The Party reports that it has not developed specific risk profiles for CITES-listed tree species but established cooperative relationships with import and export companies to support legal trade compliance. Sweden reported that its customs border controls routinely monitor for CITES compliance, with the Forestry Agency conducting risk assessments for non-CITES species imports under the EUDR. The Party further reported that CITES-listed species are not currently prioritized for risk assessment due to low import volumes. Since early 2022, its customs authorities at a major port have been monitoring tree species listed in Annex D of Regulation (EC) 338/97, aiming to raise awareness among importing companies. This monitoring also provided valuable insights into the types and volumes of these species being imported. In 2023, a market survey analysed seizure and permit data from 2013 and 2022 to better understand trends in both legal and illegal trade of

CITES-listed wood species. The survey found that, while trade in CITES-listed wood species includes a limited number of species, the trade volume of CITES-listed wood species has grown significantly over this period, though it remains small compared to the overall timber trade. The Netherlands also reported that between 2022 and 2024, there has been an increase in seizures of *Aquilaria* and *Gyrinops* wood chips, known as oudh or bakhoor, which are often available on online marketplaces.

- 21. Guatemala indicated that its Wood Forensics Laboratory at the University of San Carlos conducted four workshops in 2022 and 2023. Personnel from key forest governance institutions attended these workshops that focused on "Identification of Botanical and Timber Species of Tree Species in the Genus *Dalbergia* of Guatemala and Five Related Species".
- 22. The Netherlands organized an "Intervision Day" in 2023 to enhance knowledge sharing on CITES-related issues among inspectors and specialists from various national agencies. This event included a workshop on wood identification and wood determination, led by experienced specialists. Additionally, CITES officers at a major port received dedicated training in wood identification and participated in specialized courses on topics such as species identification and microscopic wood analysis. These officers also engaged in regional meetings and webinars on forestry crime, collaborating with international organizations like INTERPOL and UNODC to strengthen their skills in identifying CITES-listed timber and combating illegal timber trade. Sweden reported that its CITES Scientific Authority has not yet provided training on timber identification techniques to the County Administrative Boards which oversee trade monitoring and control. The Swedish Forestry Agency conducts monitoring of non-CITES timber species during control visits, applying timber identification techniques as necessary, although CITES-listed species are not a primary focus. The CITES Management Authority organizes one to two workshops per year, based on demand, to help identify commonly traded CITES-listed species in Sweden, such as Dalbergia nigra, but these sessions provide only limited coverage on timber-specific identification. In addition, Swedish customs does not offer internal timber identification training but works with external taxonomists and laboratory services, including the Swedish Forestry Agency, to identify rare or uncommon species when needed.
- 23. In accordance with paragraphs 3.3 a) and b) in the "Task Force outcome document" and Decision 19.90, the United Nations Office on Drugs and Crime (UNODC), in collaboration with the CITES Secretariat, hosted a Regional Training on Physical Inspection of Timber Shipments and Risk Assessment in Kampala, Uganda, from 25 to 29 November 2024. The training was organized by the UNODC Passenger and Cargo Control Programme (PCCP) with support from the International Consortium on Combating Wildlife Crime (ICCWC) and the European Union-Uganda Forest Partnership, and was possible through generous funding provided by China, the European Union and the United Kingdom. The training aimed to equip front-line law enforcement such as Customs officers, as well as CITES Authorities from Central, Eastern, and Southern Africa, with the knowledge and skills needed to enforce CITES regulations more effectively and ensure the sustainability, legality, and traceability of international trade in CITES-listed tree species. In 2022 and 2023, similar trainings were conducted by UNODC for Parties in West and Central Africa, as reported in document SC77 Doc. 39.2 on the International Consortium on Combatting Wildlife Crime.
- 24. The Netherlands reported that its Customs Laboratory actively participates in international scientific projects on wood identification and origin determination, such as the EU Horizon project. The laboratory employs various techniques, including DNA analysis, Dart-TOF-MS (mass spectrometry), light microscopy, and scanning electron microscopy for detailed wood identification. In collaboration with international laboratories, such as the Thünen Institute, the Dutch Customs Laboratory also engages in research to develop new identification methods. Additionally, laboratory staff received specialized training on preparing and analysing wood samples, with courses led by experts from institutions like the Naturalis Biodiversity Center and Stichting Hout Research. The Netherlands also maintains contacts with developers of wood identification apps to establish comprehensive databases of reference images, further supporting their wood identification capabilities.
- 25. Sweden reported that its Customs and Forestry Agencies collaborate closely on regulating trade in both CITES and non-CITES timber species. To support species identification, Sweden utilizes accredited laboratories, whose findings can be used in legal proceedings. While these laboratories may not be classified specifically as forensic, it is ultimately at the discretion of the courts to evaluate the evidence they provide. The Swedish Forestry Agency maintains a list of accredited laboratories for tree species identification, and the primary reference materials are available digitally, facilitating efficient information sharing between institutions. Sweden indicated that it would be interested to support and contribute to developing a field guide for timber identification, as anticipated by paragraph 3.5 a) in the "Task Force outcome document". Additionally, Sweden supports the idea of establishing a directory of national experts available for identification assistance as anticipated by paragraph 3.5 d) in the "Task Force outcome document" and noted

that its existing formal and informal networks of species identification experts could complement such a directory.

- 26. As reported in paragraph 3 of the present document, the Secretariat issued a Notification to the Parties to gather information on mobile phone and tablet applications for CITES-listed tree species identification currently in use and their availability to different authorities. Responses received from Colombia, the Netherlands and the United Kingdom of Great Britain and Northern Ireland are summarized in paragraphs 27 to 28 below.
- 27. A summary of the reported mobile phone and tablet applications, designed to assist in the identification and control of CITES-listed tree species reported by Parties, are listed below:

Resource Name	Description
CITES wood ID	A wood anatomy application covering 53 trade-relevant CITES-listed timber species and 32 look alike non-CITES listed timbers.
COVIMA	An application designed to enhance the control and monitoring of timber trade in Colombia. It supports the country's National Forest Traceability System and integrates functions form applications such as 'Timber Species' and 'Cubimadera'.
macroHOLZdata	An application that enables identification of common hardwood and softwood timbers using macroscopic features. It includes high-quality images, timber descriptions, and details on wood properties, supporting forestry professionals and timber industry stakeholders. It covers 153 wood species, of which 22 are CITES listed tree species.

- 28. Other useful online resources highlighted by Parties include the <u>Tropical Timber Atlas</u>, the <u>Wood Database</u>, the <u>Timber Trade Portal</u>, the <u>CITES Identification Guide Tropical Woods</u>, and <u>UNODC's Best Practice Guide for forensic timber identification</u>. Additionally, an identification guide, <u>Early Warning Macroscopic Guide to Timbers Listed in CITES</u>¹ was referenced. It details how a mobile phone with an attachable lens can be used for provisional macroscopic identification of CITES-listed tree species, complete with images and descriptions. It was also reported that digitized microscope slides from the wood anatomy slide collection at the Royal Botanic Gardens, Kew, are accessible online via the "<u>Plants of the World Online</u>" platform. This platform provides information on species distribution and reference images of wood anatomy slides. Kew's wood collections are also included in the Economic Botany Collection, which has an <u>online database</u> available for public access. Information was also provided about wood identification tools and a wood anatomy database, such as <u>Xylorix</u> and <u>InsideWood</u>. Further references on various guides and textbooks are available in an information document for the present meeting.
- 29. Paragraphs 3.5 a), c) and d) in the "Task Force outcome document" invites the Secretariat to:
 - explore the possibility of developing a field guide for timber identification including information on CITESlisted tree species most commonly found in illegal trade;
 - c) invite the Plants Committee's specialist on botanical nomenclature to consider including in the CoP19
 to CoP20 workplan of the Plants Committee, matters related to nomenclature to assist Parties,
 particularly enforcement authorities, in aspects relating to taxonomy and identification of CITES-listed
 tree species specimens in trade; and
 - d) explore establishing a directory of national experts who can be contacted at short notice to support Parties in identifying seized illegally traded CITES-listed species.

At its 27th meeting, the Plants Committee considered the relevant matters outlined in the "Task Force outcome document" and agreed to propose new and revised decisions on the identification of timber and other wood products, as presented in document SC78 Doc. 6 on the *Report of the Chairs of the Animals and Plants Committees*. The Secretariat notes that the matters outlined in paragraphs 3.5 a), c) and d) in the "Task Force outcome document" could be best pursued through these proposed new and revised decisions.

Also available in Spanish: https://www.miteco.gob.es/content/dam/miteco/es/biodiversidad/temas/conservacion-de-especies/guia macroscopica para maderas cites tcm30-525205.pdf

Addressing corruption and mobilizing investigations into illicit financial flows from illegal trade in CITES-listed tree species

- 30. Japan reported efforts to investigate CITES-related crimes, especially those involving civil servants, and to publicize arrests in corruption cases to deter future violations. To support these efforts, Japan collaborates with various governmental and civil society organizations, including botanical and scientific authorities, as well as the national police agency, to bolster anti-corruption measures. Japan also enforces the Act on Prevention of Transfer of Criminal Proceeds, addressing money laundering linked to wildlife crimes.
- 31. Sweden reported that comprehensive anti-corruption laws apply in the country that cover both public and private sectors. These include regulations against bribery, influence trading, and abuse of office. Sweden further promotes transparency in public procurement and protects whistleblowers to encourage reporting. Independent institutions, like the Swedish Anti-Corruption Institute, aid in compliance monitoring, and Sweden adheres to international anti-corruption frameworks, such as the United Nations Convention against Corruption and the Organisation for Economic Co-operation and Development Anti-Bribery Convention.

Conclusions

- 32. Although only a limited number of Parties responded to Notification to the Parties No. 2024/079, the submissions received provide a glimpse of the different steps taken by Parties to implement the measures and activities outlined in the "Task Force outcome document". This information could be drawn upon by other Parties as needed to identify opportunities to further strengthen their responses to illegal trade in specimens of CITES-listed tree species.
- 33. Recognizing the need for further action to address this illegal trade, the Secretariat proposes to retain Decision 19.89 on the *Task Force on illegal trade in specimens of CITES-listed tree species*. The Secretariat further considers that it would be important for Parties to continue sharing best practices and enhancing cooperation at both national and international levels, as well as to continue activities to provide training on physical inspection of timber shipments and support the undertaking of risk assessments, in regions significantly affected by illegal trade in CITES-listed tree species. In this regard, the Secretariat proposes draft decisions 20.AA and 20.BB as presented in the Annex to the present document. Should the Committee agree these, Decisions 19.90 and 19.91 can be proposed for deletion.

Recommendations

- 34. The Standing Committee is invited to:
 - a) note the information provided by Parties in their responses to Notification to the Parties No. 2024/079;
 - b) propose the renewal of Decision 19.89 as presented in the Annex to the present document to the Conference of the Parties;
 - c) review and submit draft decisions 20.AA and 20.BB as presented in the Annex to the present document, to the Conference of the Parties; and
 - d) agree Decisions 19.90 and 19.91 can be deleted.

SC78 Doc. 38.3 (Rev. 1) Annex

DRAFT DECISIONS ON TASK FORCE ON ILLEGAL TRADE IN SPECIMENS OF CITES-LISTED TREE SPECIES

Directed to Parties

19.89 Parties are encouraged to fully implement the measures and activities outlined in the <u>Outcome</u> document of the CITES Task Force meeting on illegal trade in specimens of listed tree species, as relevant to them, to prevent and combat illegal trade in specimens of CITES-listed tree species, and to report on the implementation of this Decision to the Secretariat.

Directed to the Secretariat

- **20.AA** Subject to extrabudgetary resources, the Secretariat shall:
 - a) organize a workshop on illegal trade in timber species to facilitate the exchange of experiences, promote collaboration, and advance the implementation of the measures and activities outlined in the outcome document of the CITES Task Force meeting on illegal trade in specimens of listed tree species;
 - work with the UNODC and the World Customs Organization to provide training in regions affected by illegal trade in CITES-listed tree species, on physical inspection of timber shipments and to support the undertaking of risk assessments to develop national risk indicators specific to this illegal trade; and
 - c) report to the Standing Committee on the implementation of Decisions 19.89 and 20.AA, together with any recommendations the Secretariat may have.

Directed to the Standing Committee

20.BB The Standing Committee shall consider the report and recommendations of the Secretariat in accordance with Decision 20.AA and make recommendations to the Parties or the Secretariat, as appropriate.