

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



Twenty-first meeting of the Plants Committee
Veracruz (Mexico), 2-8 May 2014

Interpretation and implementation of the Convention

Species trade and conservation

Trees

MALAGASY EBONIES (*DIOSPYROS* SPP.) AND
MALAGASY ROSEWOODS (*DALBERGIA* SPP.) (DECISION 16.152)

1. This document has been prepared by the Secretariat.
2. Since 2006, the Government of Madagascar has adopted various legislation on the conservation and management of and trade in *Dalbergia* spp. (rosewoods) and *Diospyros* spp. (ebonies). Some of this legislation prohibits the use and export of existing stocks, while other legislation authorizes it.
3. In 2007, the World Heritage Committee of UNESCO inscribed the Rainforests of the Atsinanana on the World Heritage List. Illegal harvesting of specimens of *Dalbergia* spp. and *Diospyros* spp is taking place in two of the six national parks in this area. The World Heritage Committee has recommended corrective measures, including law enforcement, restoration of degraded areas and liquidation of stockpiles.
4. At its 16th meeting (CoP16, Bangkok, March, 2013), the Conference of the Parties agreed to the inclusion in Appendix II of the Malagasy populations of the genera *Dalbergia* and *Diospyros*, with an annotation restricting the listing to "logs, sawn wood and veneer sheets" (annotation #5). At the same meeting, Parties also adopted Decision 16.152 on *Malagasy ebonies* (*Diospyros* spp.) and *Malagasy rosewoods* (*Dalbergia* spp.) and a related Action Plan (see Annex 1 to this document).
5. Madagascar will be reporting to the 21st meeting of the Plants Committee on the progress it has made in the implementation of the above-mentioned Action Plan. On 13 August 2013, the Management Authority of Madagascar requested the Secretariat to publish a zero export quota for exports of timber of *Dalbergia* spp. and *Diospyros* spp. from this country. This zero export quota was established for a period of six months (from 13 August 2013 to 13 February 2014). The quota does not differentiate between seized stocks from other specimens, thus complying with the request in paragraph 4 in the Action Plan to "put in place an embargo on exports of stocks of these timbers until the Standing Committee has approved the results of a stockpile audit and use plan to determine what component of the stockpile have been legally accumulated and can be legally exported."
6. The Secretariat published the zero export quota on its website on 13 August 2013 and issued Notification No. 2013/039 (see Annex 2 of this document).
7. In line with the Decisions in the Action Plan, the Secretariat is pleased to report that:
 - a) Madagascar has created an intersectoral advisory committee (AC) on management issues on rosewood. The membership of the committee comprises representatives of the government, civil

society, non-governmental organizations, industry and the World Bank, as well as representatives of other sectors. The Secretariat has been closely following and assisting the work and progress made by this committee, which has mainly focused on the implementation of paragraph 4 of the Action Plan;

- b) The Secretariat is seeking external funding from interested Parties, intergovernmental and non-governmental organizations, exporters, importers and other entities directly interested in supporting the implementation of the Action Plan. The Secretariat has identified different sources of possible funding for various elements of the Action Plan. Although the intention is not to channel these various funds through the Secretariat, the latter is coordinating the different agencies to avoid overlapping of activities (e.g. making inventories of standing trees in the wild; marking and inventorying the stockpiles that have been confiscated by the government; making progress with the description and identification of more than 100 species that still need to be named, etc.);
 - c) The Secretariat will be reporting at the 22nd meeting of the Plants Committee on the management of funds that have been raised and technical assistance that has been provided. Madagascar is making the necessary arrangements to become a member of the International Tropical Timber Organization (ITTO). Until it ratifies the International Tropical Timber Agreement, which is the international treaty under which ITTO operates, it will not be possible to fund activities in this country under the *ITTO-CITES programme on implementing CITES for tree listed species*;
 - d) The Secretariat organized a workshop on non-detriment findings (NDFs) for CITES-listed species from Madagascar. More than 60 members of the CITES Scientific Authority received training on the formulation of NDFs for various taxa during a one-week workshop held in Antananarivo in early August 2013. A follow-up workshop on NDFs for tree species, particularly timber species of *Dalbergia* and *Diospyros* from Madagascar, is also expected to be organized before the 17th meeting of the Conference of the Parties.
8. The Government of Madagascar is receiving support from various organizations, including CITES, the Food and Agriculture Organization of the United Nations (FAO), ICPO-INTERPOL, UNESCO and the World Bank; each one of these organizations will focus on different aspects of the Action Plan. The World Heritage Committee of UNESCO has recommended corrective measures, including law enforcement, restoration of degraded areas and liquidation of stockpiles; The World Bank is also contributing funding for a stockpile audit and on measures to legally export specimens. FAO has already funded and undertaken some studies on legislation and stockpiles. The implementation of the action plan should be closely coordinated with these other organizations to avoid duplicating activities.
9. The Secretariat will update the Committee orally on any development that occurs between the time of writing of this document and the meeting.

Recommendations

10. The Committee is invited to:
- a) Note this report;
 - b) Advise on an appropriate format and provide guidance to enable Madagascar to report on progress at the 17th meeting of the Conference of the Parties (CoP17);
 - c) Review Madagascar's report on the implementation of the action plan and provide it with relevant support and advice; and
 - d) recommend and facilitate the preparation of a standard nomenclatural reference for Malagasy species of *Diospyros* and *Dalbergia* to be adopted, if appropriate, at CoP17. This item should be considered and discussed under agenda item 20 on *Standard nomenclature [Resolution Conf. 12.11 (Rev. CoP16)]*.

DECISION 16.152

Malagasy ebonies (*Diospyros* spp.) and Malagasy rosewoods (*Dalbergia* spp.)

- 16.152 The Conference of the Parties has adopted the action plan attached as Annex 3 to these Decisions to facilitate adequate implementation of the Appendix-II listings of *Diospyros* spp. (populations of Madagascar) and *Dalbergia* spp. (populations of Madagascar).

ANNEX 3 OF THE COP16 DECISIONS

Action plan for *Diospyros* spp. and *Dalbergia* spp.

Madagascar shall:

1. Establish, in collaboration with the CITES Secretariat, a science-based precautionary export quota for the listed taxa where an adequate non-detriment finding can be undertaken and clearly documented for any species planned for export;
2. Establish, as appropriate, and with key partners [including the CITES Secretariat, CITES Plants Committee, International Tropical Timber Organization (ITTO), main importing countries, and national and international research/conservation organizations] a process (research, information gathering and analysis) to identify the main species to be exported. Workshops should be organized for selected species to establish the adequate non-detriment findings required in paragraph 1;
3. Collaborate, as appropriate, and with key partners, as indicated in paragraph 2 above, to prepare identification material and tests for use in CITES enforcement to identify main taxa as they are traded;
4. Put in place an embargo on export of stocks of these timbers until the CITES Standing Committee has approved the results of a stockpile audit and use plan to determine what component of the stockpile have been legally accumulated and can be legally exported;
5. Collaborate, as appropriate, and with key partners, as indicated in paragraph 2 above, to establish enforcement mechanisms to assist in implementation of any export quota, stockpile control and opening of any legal and sustainable trade utilizing timber tracking systems and other technology as appropriate;
6. Provide written reports on progress with the implementation of the plan to the Secretariat and Plants Committee, in compliance with document deadlines for meeting of that Committee; and
7. Provide a document outlining progress with the implementation and any required adjustments to the Action Plan at the 17th meeting of the Conference of the Parties.

The Plants Committee shall:

1. Work with Madagascar to implement this Action Plan and provide a format for and guidance on reporting on progress at the 17th meeting of the Conference of the Parties;
2. Receive reports from Madagascar on the implementation of the plan, analyse and assess these, and assist and advise on same at its 21st and 22nd meetings; and
3. Recommend and facilitate the preparation of a standard reference for the names of *Diospyros* spp. (populations of Madagascar) and *Dalbergia* spp. (populations of Madagascar) to be adopted, if appropriate, at the 17th meeting of the Conference of the Parties.

Importing countries, especially developed country Parties, shall:

1. Work with Madagascar to implement this Action Plan, make recommendations on sources of funding when necessary, and provide funding and technical support to implement the plan on a voluntary basis.

The Secretariat shall:

1. Subject to available resources, assist Madagascar in the preparation of a stockpile audit and use plan, consistent with the Convention and relevant Resolutions and Decisions of the Conference of the Parties, for presentation to the CITES Standing Committee;
2. Seek external funding from interested Parties, intergovernmental and non-governmental organizations, exporters, importers and other entities directly interested in supporting this Decision;
3. Inform relevant Parties of the management of funds that have been raised, of technical assistance available and how they may access these resources;
4. Request technical assistance of ITTO in the framework of Resolution Conf. 14.4 on *Cooperation between CITES and ITTO regarding trade in tropical timber*, and
5. Promote, facilitate and assist capacity building in Madagascar and in importing countries, including as appropriate transit countries, through workshops, training and other activities considered relevant between the 16th and 17th meetings of the Conference of the Parties.

NOTIFICATION TO THE PARTIES

No. 2013/039

Geneva, 4 September 2013

CONCERNING:

Trade in *Dalbergia* spp. and *Diospyros* spp. from Madagascar

1. In order to conserve populations of *Dalbergia* spp. (rosewoods) and *Diospyros* spp (ebonies) and to control international trade in products thereof, in March 2010 Madagascar adopted a decree that prohibits the cutting, exploitation and export of specimens of these species. In 2011, Madagascar included in CITES Appendix III the species of the genera that occur in their country.
2. At its 16th meeting (CoP16, Bangkok, March, 2013), the Conference of the Parties agreed to the inclusion in Appendix II of the populations of Madagascar of the species in the genera *Dalbergia* and *Diospyros*. The listings are annotated #5, indicating that the only parts and derivatives included are "logs, sawn wood and veneer sheets". The Conference of the Parties also adopted Decision 16.152 on *Malagasy ebonies* (*Diospyros* spp.) and *Malagasy rosewoods* (*Dalbergia* spp.) and a related action plan.
3. That action plan states, in its paragraph 4, that:

Madagascar shall ... put in place an embargo on export of stocks of these timbers until the CITES Standing Committee has approved the results of a stockpile audit and use plan to determine what component of the stockpile have been legally accumulated and can be legally exported.
4. In accordance with this Decision, in August 2013 the Management Authority of Madagascar communicated to the Secretariat the setting of a zero export quota for specimens of *Diospyros* spp. and *Dalbergia* spp. for the period 13 August 2013 to 13 February 2014.
5. The World Bank is contributing to efforts to protect the Malagasy populations of *Dalbergia* spp. and *Diospyros* spp. by funding three studies to assess the current stockpiles of these timber species and to prepare a plan for the use of such stockpiles. This will assist in the implementation of paragraph 4 of the action plan.
6. Recent information from Madagascar and other Parties confirms that illegal shipments of timber of *Diospyros* spp. and of *Dalbergia* spp. continue to be exported from Madagascar.
7. The Secretariat therefore seeks the cooperation of all Parties to assist Madagascar by checking shipments of timber from that country in order to stop any illegal trade in specimens of *Dalbergia* and *Diospyros* species. This cooperation is essential to the successful implementation of the action plan and the inclusion of these species in Appendix II.
8. Parties that seize illegal shipments of *Dalbergia* spp. and *Diospyros* spp. from Madagascar are encouraged to communicate information about these seizures to the Management Authority of Madagascar and to the Secretariat.