

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



Twenty-third meeting of the Plants Committee
Geneva (Switzerland), 22 and 24-27 July 2017

Species specific matters

Rosewood timber species [Leguminosae (Fabaceae)]

IMPLEMENTATION OF DECISION 17.234

1. This document has been submitted by Mr. Paulo Carmo (Regional Representative of Europe) and Ms. María Isabel Camarena Osorno (Alternate Regional Representative of North America*) with the support of the independent consultant Ms. Valentina Vaglica.

Background: CoP17 outcomes on rosewood species

2. At the 17th meeting of the Conference of the Parties (CoP17, Johannesburg 2016), Mexico and the European Union presented document CoP17 Doc. 62 (Rev. 1), which:
 - a) summarized the status of the listings in the Appendices of all species commonly known as “rosewoods” (a group that or does not necessarily share a common ancestry, and which refers mainly those from the genera *Dalbergia* and *Pterocarpus*, and other similar species from the genera *Cassia*, *Millettia*, *Guibourtia*, *Machaerium*, *Dicornia*, *Caesalpinia* and *Swartzia*) up to CoP16;
 - b) detailed the challenges in the implementation of CITES related to rosewood species listed in the Appendices up to CoP16; and
 - c) based on the available information to date, included a recommendation for the CoP17 to adopt the draft Decisions presented in the Annex to document CoP17 Doc. 62 (Rev. 1), in order to gather information and data on wild populations and international trade in rosewood timber species, to facilitate the development of recommendations to ensure that international trade in rosewood timber species is legal and sustainable, and to consider whether it would be appropriate to list other rosewood species in the CITES Appendices.
3. After considering the recommendations in document CoP17 Doc. 62 (Rev. 1), the CoP established a drafting group comprising Brazil, the European Union, Kuwait, Mexico, Senegal and the interim Chair of the Plants Committee (Dr. Adrienne Sinclair) ([CoP17 Com. I Rec. 9](#)). As a result of the recommendations of the drafting group, the Conference of the Parties adopted Decision 17.234 on “Rosewood timber species [Leguminosae (Fabaceae)]”, which reads:

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

Decision 17.234	<p>Directed to the Plants Committee</p> <p>The Plants Committee shall:</p> <p>a) Review at its regular meetings between the 17th and the 18th meetings of the Conference of the Parties, document CoP17 Doc, 62 (Rev. 1) on International Trade in Rosewood Timber Species [Leguminosae (Fabaceae)] and the draft decisions included in its Annex; and</p> <p>b) Based on the proposals in this document, as well as experiences with trade in CITES-listed rosewood species, formulate recommendations concerning timber rosewood species for consideration at the 18th meeting of the Conference of the Parties.</p>
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4. Regarding amendments to the Appendices for *Dalbergia* species, CoP17 considered the following proposals:

Proposal number and proponents	Proposal
CoP17 Prop. 53 Thailand	Amend the annotation to the listings of <i>Dalbergia cochinchinensis</i> as follows: Delete the current annotation #5 and replace it with annotation #4.
CoP17 Prop. 54* Mexico	<p>Include 13 timber species of genus <i>Dalbergia</i> (native to Mexico and Central America) in Appendix II:</p> <ol style="list-style-type: none"> 1) <i>Dalbergia calderonii</i> 2) <i>Dalbergia calycina</i> 3) <i>Dalbergia congestiflora</i> 4) <i>Dalbergia cubilquitzensis</i> 5) <i>Dalbergia glomerata</i> 6) <i>Dalbergia longepedunculata</i> 7) <i>Dalbergia luteola</i> 8) <i>Dalbergia melanocardium</i> 9) <i>Dalbergia modesta</i> 10) <i>Dalbergia palo-escrito</i> 11) <i>Dalbergia rhachiflexa</i> 12) <i>Dalbergia ruddae</i> 13) <i>Dalbergia tucurensis</i> <p>*Amended by Mexico during CoP 17 to be listed with Annotation#6, which specifies: "Logs, sawn wood, veneer sheets and plywood."</p>
CoP17 Prop. 55* Argentina, Brazil, Guatemala and Kenya	<p>Include the genus <i>Dalbergia</i> in CITES Appendix II with exception to the species included in Appendix II*</p> <p>*Amended by Guatemala during CoP 17 to be listed with the following annotation: <i>All parts and derivatives are included, except:</i></p> <ol style="list-style-type: none"> a) <i>Leaves, flowers, pollen, fruit, and seeds</i> b) <i>Non-commercial exports of a maximum total weight of 10 kg per shipment</i> c) <i>Parts and derivatives of Dalbergia cochinchinensis which are covered by Annotation #4</i> d) <i>Parts and derivatives of Dalbergia spp. originating and exported from Mexico excluding logs, sawn wood, veneer sheets and plywood, which remain regulated".</i>

Taking into account parallel discussions between proponents of proposals CoP17 Prop. 55, 54 and 56, and other Parties and relevant stakeholders, and the interventions made during the Committee I sessions, the 17th meeting of the Conference of the Parties adopted by consensus the following listing of *Dalbergia* under Appendix II (which entered into force on January 2, 2017):

Dalbergia spp. #15 (except for the species listed in Appendix I [i.e. *Dalbergia nigra*])
 Annotation #15 reads as follows:
 All parts and derivatives are included, except:

- Leaves, flowers, pollen, fruits, and seeds;
- Non-commercial exports of a maximum total weight of 10 kg. per shipment;
- Parts and derivatives of *Dalbergia cochinchinensis*, which are covered by Annotation #4;
- Parts and derivatives of *Dalbergia* spp. originating and exported from Mexico, which are covered by Annotation #6.

5. Additionally, regarding amendments to the Appendices for other rosewood species, CoP17 considered and adopted by consensus the following proposals:

Proposal number and proponents	Proposal
CoP17 Prop. 56 Gabon and the European Union	Include <i>Guibourtia tessmannii</i> , <i>Guibourtia pellegriniana</i> and <i>Guibourtia demeusei</i> in Appendix II with Annotation #15.
CoP17 Prop. 57 Benin, Burkina Faso, Chad, Côte d'Ivoire, European Union, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal and Togo	Include <i>Pterocarpus erinaceus</i> in Appendix II, without annotation.

Current status of rosewood listings in CITES Appendices

6. So, to recapitulate all of the pre-CoP17 rosewood listings, together with the amendments recently adopted at CoP17, the current listings of rosewoods under CITES Appendices now read as follows (<https://cites.org/eng/app/appendices.php#fnt19>):

Appendix I	Appendix II
<i>Dalbergia nigra</i>	<i>Dalbergia</i> spp.#15 (except for the species listed in Appendix I) <i>Guibourtia demeusei</i> #15 <i>Guibourtia pellegriniana</i> #15 <i>Guibourtia tessmannii</i> #15 <i>Pterocarpus erinaceus</i> <i>Pterocarpus santalinus</i> #7

Progress achieved

- “International workshop on tree species in CITES” (February 7-9; La Antigua, Guatemala): The workshop aimed to build capacities to strengthen the implementation of CITES for listed tree species, to highlight the importance for regulating international trade in products of CITES-listed tree species, to strengthen CITES implementation in a framework of international cooperation, thus ensuring that trade in products of tree species is legal, sustainable and traceable. Particularly, the workshop focused on the timber-related CoP17 listings, Resolutions, and Decisions. Around 28 delegates from 15 CITES Parties participated (including both range states, as major importers). The full report of the meeting will be made available at: http://www.itto.int/cites_programme/
- In order to build upon the opportunities for improving the implementation of rosewood listings already identified in document CoP17 Doc. 62 (Rev. 1), and to gather experiences and lessons learnt on the recent entry into force of the CoP17 listings specified under paragraphs 4 and 5 above, the Regional Representative of Europe (Mr. Paulo Carmo) led a prospective consultation limited to regional representatives, to the Parties of Europe and North America regions, to the proponents of CoP17 proposals for amendment of Appendices I and II regarding rosewood species and to a few more consumer and producer countries, which we summarize below.

9. Replies to the consultation were received from Armenia, Australia, Austria, Brazil, Canada, Madagascar, Mexico, Monaco, the Netherlands, Nigeria, Portugal, Serbia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Among other issues, Parties highlighted the following challenges:

9.1 Identification - Species identification, particularly due to the presence of a large number of non-CITES lookalike species in trade and other taxonomic issues (PC22 Doc. 17.6), maintains as one of the biggest challenges for several Parties. Identification of rosewood timber in trade is challenging as the generic term 'rosewood' is used by traders to refer to a range of timbers. At genus level, the former Appendix II listing of *Dalbergia retusa* was accompanied by the listing of its lookalike *D. granadillo*, as the timber of the two species is indistinguishable. Lookalike issues also incur within species belonging to different genera. Although there are some challenges with wood identification of logs/sawn wood, etc., Parties noted more challenges with wood identification in finished products, in particular antiques, furniture and musical instruments, where identification of the timber at species level or at genus level is very complicated. Timber specialists are not always available and, the collection of a sample for identification purpose might alter the value or damage/ destroy the object. Rapid identification techniques on the ground, such as DNA and DART, are onerous and could cause significant delays, which will be reflected at management level; these delays represent a barrier to trade and are costly for CITES authorities who need to retain and store the products while awaiting results that can take up to 30 days to receive.

9.2 Non detriment findings - Mexico reiterated the issues related to the lack of information to support the formulation of non-detriment findings for *Dalbergia* species (particularly distribution and demographics of the genus), previously stated both in document CoP17 Doc. 62 (Rev. 1) as well as in amendment proposal CoP17 Prop. 54.

9.3 Enforcement - Many parties felt that the interpretation and implementation of annotation #15 is inconsistent and there is a need for standardization. In particular there is the need to clarify:

- a) the interpretation of pre-Convention specimens with regards to rosewood harvested from plantations;
- b) how to standardize the definition of "non-commercial" as well as an uniform understanding on the "10 kg exemption" and how it should be calculated (total weight of the object being traded or only the weight of the listed species parts in it);
- c) how to simplify movement of musical instruments and the issue of consolidated shipments for travelling orchestras and how to deal with them would also benefit from an internationally harmonized and standardized approach;
- d) the reservations entered by India and Indonesia also brought some extra "confusion" into the implementation of CITES to rosewood species. Special clarification is needed about the Indian authorities' policy on the harvest of *Dalbergia latifolia* from different sources ("W" versus "A") and also about the documents being issued for export purposes, as some products are being exported with CITES comparable documents (as supposed when a country enters a reservation) but others are being exported with regular CITES export permits.

9.4 Management

- a) Due to the inclusion of the whole genus *Dalbergia* into the CITES Appendices (together with *Pterocarpus erinaceus* and the three *Guibourtia* species) some Parties felt that there was a remarkable increase in trade requests for timber/wood products, in particular applications for import/(re) export permits and certificates. Some Parties have introduced procedures to simplify the issuance of multiple-use pre-Convention certificates for businesses exporting significant quantities of pre-Convention rosewood (where the pre-CITES status of specimens can be verified in advance); however, those procedures should be standardized between all the Parties; one Party, based on national regulations, is registering all pre-convention stockpiles. Based on the experiences and the questions received by CITES authorities concerning the implementation of these listings, some Parties developed question and answer documents regarding this issue, like the United States of America (<https://www.fws.gov/international/pdf/questions-and-answers-appendix-ii-timber-listings-December-2016.pdf>) and the European Union (http://ec.europa.eu/environment/cites/pdf/cop17/implementation_of_cites_cop17_listing_of_rose_wood_clean.pdf).

- b) A major challenge at a short term will be the evaluation of the conservation benefit and implementation viability of annotations for the CITES-listed rosewood species. This includes ensuring that the annotations effectively cover the relevant commodities in trade, that the annotations can be readily understood and are consistently implemented by the Parties, and evaluating how CITES can effectively respond to changes in production patterns and species preferences that appear to be aimed to circumvent CITES controls.

Recommendations to the Plants Committee

10. Taking into account the above, and to achieve the implementation of Decision 17.234, the Plants Committee is suggested to:
 - a) Bearing in mind the experiences and challenges highlighted by Parties related to the implementation of CoP17 rosewood listings, convene a small in-session PC23 drafting group to identify the key issues of concern with regard to CITES implementation for rosewood species and to develop questions to include in a questionnaire to be sent in a Notification to the Parties seeking information to complete this exercise, particularly with regard to species and genera of rosewood not currently listed in the Appendices, in order to prepare a more detailed document for discussion at the 24th meeting of the Plants Committee.
 - b) Give special consideration to non-CITES listed species of the genus *Pterocarpus* and *Guibourtia*, which occur in international trade and yet are currently not regulated (which are likely to be under the most current conservation concern and logging pressures). And,
 - c) Based on its experience with trade in rosewood species, to continue to review document CoP17 Doc. 62 (Rev. 1) and the draft decisions contained in its annexes, and to formulate recommendations concerning rosewood species, which may include drafting additional decisions for consideration at CoP18.

Consultation

The limited prospective consultation was sent to the contacts from Parties and Regional Representatives available at the CITES website.

As referred in the document, the consultation was sent to the European and North American regions, to the proponents of CoP17 proposals for amendment of Appendices I and II regarding rosewood species and to a few more consumer and producer countries.

European region – all parties

North American region – all Parties

South America and the Caribbean – Argentina, Brazil, Chile, Costa Rica, Guatemala, Paraguay, Peru

Africa – Benin, Burkina Faso, Cameroon, Chad, Côte d'Ivoire, Gabon, Guinea, Kenia, Madagascar, Mali, Nigeria, Senegal, Togo

Asia – China, India, Indonesia, Malaysia, Thailand

Oceania – Australia, New Zealand

The consultation was also sent to all the Regional Representatives and the Nomenclature specialist to the Plants Committee.