

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



Sixty-seventh meeting of the Standing Committee  
Johannesburg (South Africa), 23 September 2016

Interpretation and implementation matters

Compliance and enforcement

Application of Article XIII

Application of Article XIII in the Democratic Republic of the Congo

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

Background

2. At its 66th meeting (SC66, Geneva, January 2016), the Standing Committee considered the application of Article XIII of the Convention with regard to the Democratic Republic of Congo (DRC), based on the report of the Secretariat contained in document [SC66 Doc. 28](#) and further information provided by the DRC.
3. The Standing Committee adopted recommendations as set out in the summary record of the meeting, pages 24-25 concerning:
  - a) quota management and issuance of export permits;
  - b) management of exports of *Psittacus erithacus*;
  - c) illegal trade; and
  - d) collaboration amongst national CITES authorities.
4. The Standing Committee also considered issues related to management of and trade in *Pericopsis elata* (Afromosia) on the basis of the above-mentioned report by the Secretariat and document [SC66 Doc. 43](#), prepared by the DRC. The Standing Committee adopted a set of recommendations, *inter alia*, on the export of the stock of 19,000 m<sup>3</sup> of Afromosia until 31 October 2016, exceptionally authorized under the 2015 export quota; the need for the Secretariat to confirm the authenticity of export permits; and the implementation of measures to better monitor and manage the volumes of export of Afromosia through the establishment of a database.<sup>1</sup>
5. The Standing Committee requested the DRC to report on the implementation of these recommendations, and encouraged the Secretariat to continue to monitor progress made by the DRC and report to SC67. Accordingly, the DRC submitted two documents to the Secretariat for the present meeting of the Standing Committee: a report on the implementation of recommendations related to the application of Article XIII of the Convention (see document SC67 Doc. 12.2.2 and its annexes); and a report on the efforts undertaken to ensure full control and compliance with regard to trade in *Perisopsis elata* (Afromosia) (see document SC67 Doc. 20).

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<sup>1</sup> The recommendations of the Standing Committee are set out in document SC SR66, page 50. For further information see: <https://cites.org/sites/default/files/eng/com/sc/66/ExSum/E-SC66-SR.pdf>

6. The present document by the Secretariat covers both matters considered under agenda item 12 (application of Article XIII) and item 20 (African teak). At the outset, the Secretariat would like to welcome the progress and commitment demonstrated by the DRC in these two reports on the implementation of the recommendations adopted by the Standing Committee.

#### Quota management and issuance of export permits

7. With regard to the quota management and issuance of export permits, the Management Authority of the DRC informed that it has replaced its practice of “modifying and renewing” export permits with a preliminary annual quota allocated to the exporters in a separate document and the CITES export permits only issued at the time of the export. However, it seems that the DRC has not made the necessary changes to the legislation yet. It is encouraged to ensure that the possibility of cancelling and renewing export permits also be abolished in the Ministerial Decree 056/CAB/MIN/AFF-ECNPF/01/00. The Secretariat commends the DRC for its efforts in this regard and takes note of its assurances that quotas will not be exceeded in the future. However, from the report, it would appear that an efficient information system has not yet been put in place to address this long-standing problem in the DRC.

#### Management of export of *Psittacus erithacus*

8. The Standing Committee recommended at SC66 that “*All Parties suspend commercial trade in specimens of the species Psittacus erithacus from the Democratic Republic of Congo forthwith, except for an export in 2016 of 1,600 specimens already collected and ready for export, but subject to confirmation of authenticity of export permits*” until the DRC had produced a scientific field study on the population status, developed a national management plan for the species and submitted the plan to the Secretariat. The report by the DRC and its annexes set out the detailed efforts undertaken to implement this recommendation.
9. With regard to the export of the “*1,600 specimens already collected and ready for export,*” the Secretariat notes that by 10 August 2016, four export permits have been received for confirmation by the Secretariat, covering a total number of 850 specimens, but it has no information as to what happened to the other 750 specimens claimed to have already been collected at the time of the meeting of the Standing Committee in January 2016. DRC reports that a total of 1,611 specimens have been seized in the period February – July 2016 but it is not clear from the report if there is a connection to the abovementioned 1,600 specimens that were said to be already captured and “ready for export” in January.
10. Regarding conditions for resuming trade, the Secretariat notes that the DRC reiterates its commitment to undertake a field study to establish the population status of the species in three principal zones of its territory, and expects to launch the study before the end of 2016, subject to available resources. The DRC will report on progress of this study at the 69th meeting of the Standing Committee. The National Management Plan will be developed and submitted to the Secretariat after finalization of the field study. The Secretariat encourages the DRC to prioritize the development of the study and of partnerships to support the efforts of the DRC in this regard.

#### Combatting illegal trade

11. Concerning the third area, combatting illegal trade, the DRC acknowledges its challenges in this regard and reports on efforts undertaken in relation to *Psittacus erithacus* and ivory. According to the report, eight seizures were made in the period January–July 2016, and poachers have been identified, prosecuted and sentenced with the help of partners such as the World Wildlife Fund for Nature (WWF), TRAFFIC and the United States Agency for International Development (USAID). It is also noted that six ivory carving machines were seized and that the domestic ivory market has significantly decreased over the period. A number of other important actions have been undertaken, including the establishment of a paramilitary agency to protect national parks and nature reserves.
12. The Secretariat received information from various interlocutors indicating that enforcement efforts have so far largely focused at the lower levels of the supply chain, apparently leaving exporters free to continue transporting illegally trapped parrots to Kinshasa. In this context, the Secretariat received a request from Thailand to confirm export permit No. 6827, with security stamp No. 1175207, issued on 11 August 2016 by the CITES Management Authority of the DRC for the export of 200 wild grey parrots. The permit was granted to Kally Birds International.
13. After consultations with the Management Authority of the DRC, it was declared that this permit was originally granted for 100 red-fronted parrots *Poicephalus gulielmi*, in accordance with a quota of 3,000 wild specimens

published on the CITES website. The permit appears to be falsified and scanned to change the quantity of specimens exported and the name of the species. The quota of 5,000 parrots in the falsified permit does not coincide with the 3,000 wild specimens either. It has also added in box 5 a comment stating that this permit cancels and replaces Permit No. 6728. The parrots covered by this false permit appear to be from an illegal origin and should be seized and confiscated. The authors of this illegal transaction should be investigated, prosecuted and sentenced according to the national legislation of the countries involved.

14. A quick research on the internet shows that an individual from Conakry (Guinea) named Aboubacar Traoré appears to be associated with this exporting company and advertises grey parrots online at: <https://www.facebook.com/kallybirds.internationale>. Information available on the internet shows that this company has exported live parrots to Bahrain and Turkey (Istanbul). It is not uncommon to find grey parrots offered on the internet in Pakistan and other Asian countries featuring photos that are allegedly taken in Kinshasa facilities. See for instance, the Facebook profile of an individual named Sami Ur Rehman based in Karachi, Pakistan: <https://www.facebook.com/sami.rehman.125>.
15. The Secretariat would like to encourage the DRC to continue its efforts to combat illegal trade and strongly recommends to investigate and prosecute illegal operators, and complete some of the initiatives underway. Furthermore, with reference to the recommendation by the Standing Committee, the Secretariat would welcome further details on the number of cases of poachers brought to justice and types of sentences pronounced in these cases. Further, it is not clear from the report whether suspects involved in the illegal trade of grey parrots have been investigated and prosecuted. Such information would be welcome.
16. The DRC reports on specific challenges related to the implementation of CITES in conflict zones in the eastern part of the country, and its collaboration with Rwanda and Uganda to try to stop illegal cross-border traffic of CITES-listed species.

#### Collaboration amongst national CITES authorities

17. The DRC reports that collaboration between the Scientific Authority, Management Authority and other relevant agencies has improved, and that regular meetings are taking place. The formal national CITES Committee will be established in a forthcoming decree to be signed by the Prime Minister.
18. Based on export permits received by the Secretariat for authentication and confirmation, the Secretariat notes that trade involving *Psittacus erithacus* seems to have adapted to the measures in place, created new routes and moved to new markets. The Secretariat has received export permits issued by countries for parrot shipments under source code 'W', but where the species is not known to be found in the wild. It has seen permits for relative large numbers of parrots with source code 'C', while the ability of the country to breed large numbers of African grey parrots seems questionable. The Secretariat also noted logistically unusual or even illogical movements of large parrot shipments between African countries before their subsequent re-export to final markets in the Middle East or Asia.

#### Conclusion

19. The Secretariat welcomes the initial steps taken by the DRC to combat illegal trade in wildlife and considers that some progress has been made. However, much remains to be done and the DRC is encouraged to step up its efforts to implement the Standing Committee's recommendations. Although the CITES authorities have demonstrated their commitment to improve the situation in the country, no significant improvement in the overall situation has been observed. The Secretariat notes that the conditions for lifting the recommendation to suspend trade in *Psittacus erithacus* have not yet been met and therefore the recommendation should be kept in place.
20. The report by the DRC with regard *Pericopsis elata* in document SC67 Doc. 20 contains two sections on exports of wood stocks harvested in 2014-2015 under the quota for 2015, and the implementation of measures recommended by the Plants Committee in document PC22 Doc. 12.1 (establishment of a database to manage and monitor trade and to ensure an automatic conversion).
21. The DRC confirms that the export permits for trade in *Pericopsis elata* are delivered on the basis of inventories and management plans, and only at the time when the timber is ready to be exported. With regard to the timber harvested in 2014-2015 and "ready for export" that the DRC was exceptionally allowed to export under the 2015 quota, the Secretariat notes that two export permits under the 2014 quota have been confirmed for a total volume of 236 m<sup>3</sup>. Under the 2015 quota, 21 export permits have been confirmed for a total volume of 2,085 m<sup>3</sup>. Confirmation of five additional export permits is still pending information from

the DRC. No permits under the 2016 quota have been received and no permits have been rejected by the Secretariat.

22. As recommended by the Standing Committee, the DRC has also established an information system that allows it to better manage and monitor the exports of Afrormosia and to automatically convert volumes of processed timber products into round wood equivalent volumes. The report establishes this conversion rate at a total of 48 per cent, considering the value of the timber and the efforts by the sector to exploit all the timber through second and third level products. The annex of the report makes reference to data from one company where second and third level products are exported. However, it is not clear whether this conversion rate would also apply for companies only exporting first cuts.

#### Recommendations

23. In light of the above, the Secretariat recommends that the Standing Committee:

- take note of the reports of the DRC contained in documents SC67 Doc. 12.2.2. and SC67 Doc. 20 informing of its remedial actions; acknowledge the commitment and initial progress demonstrated; and request the DRC to step up its efforts to fully implement the Standing Committee's recommendations;
- request the DRC to investigate, prosecute and judge perpetrators involved in the illegal trade of grey parrots and other CITES-listed species and submit detailed information on the concrete results of its enforcement activities to the Secretariat;
- request the DRC to complete the field study on *Psittacus erithacus* by 30 April 2017 and submit it to the 29th meeting of the Animals Committee together with a National Management Plan, including a proposed quota, subject to any decision of the Conference of the Parties in relation to *Psittacus erithacus*; and
- request the Secretariat to report to its 69th meeting on progress made by the DRC in implementing the Standing Committee's recommendations.