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

Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November - 1 December 2017

Species specific matters

LEGAL AND ILLEGAL TRADE IN BREAD PALMS (*ENCEPHALARTOS* SPP.): REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decisions 17.219 to 17.221 on *Bread palms* (Encephalartos *spp.)*, as follows:

Directed to Parties

17.219 All Parties should:

a) immediately bring every seizure of illegal Encephalartos *species specimens made within their territories to the attention of authorities in range States, countries of origin, transit and destination, as applicable, and to the attention of the Secretariat. Information on the seizure should be accompanied by available associated information to enable follow-up investigations to take place;*

b) notify the CITES Secretariat of seizures of specimens of Encephalartos *species specimens for which the origin cannot be determined. Such a notification should include information describing the circumstances of the seizure;*

c) submit samples from specimens of Encephalartos *species specimens confiscated and/or subject to criminal investigation, to designated forensic laboratories for DNA analysis on the basis of a standard protocol provided by South Africa;*

d) prior to issuing permits or certificates, including pre-Convention certificates, authorizing the import or re-export of specimens of Encephalartos *species, consult with the country of origin, so that the true nature of the trade and source of specimens may be confirmed and monitored.*

Directed to the Secretariat

17.220 The Secretariat shall:

a) subject to external funding, develop, in conjunction with relevant institutions and experts, a manual containing guidelines on best practices, protocols and operational procedures that will promote the use of wildlife forensic technology as it relates to plant material;

b) prepare a questionnaire to assist Parties in compiling information on legal and illegal trade in Encephalartos *spp. specimens, drawing upon the template for species-specific reporting adopted by the Standing Committee, and make this questionnaire available to Parties through a Notification to the Parties; and*

c) *drawing upon the reports received from Parties in response to the Notification to the Parties mentioned in Decision 17.220 paragraph b), prepare a report on legal and illegal trade in* Encephalartos *spp. specimens, including recommendations, for consideration by the Standing Committee.*

Directed to the Standing Committee

17.221 The Standing Committee shall at its 69th meeting, consider the report of the CITES Secretariat and determine further actions to be implemented by Parties in relation to the international trade in Encephalartos *species.*

Background

3. *Encephalartos* spp. were included in Appendix I in 1977. The Checklist of CITES species[1] currently contains 66 species of *Encephalartos* spp., all of which occur in Africa. The IUCN Red List of Threatened Species also recognizes a total of 66 species of *Encephalartos* spp., of which 4 are considered Extinct in the Wild, 18 Critically Endangered, 10 Endangered, 15 Vulnerable, 13 Near Threatened, and 6 Least Concern.

4. In total, there are only three nurseries producing artificially propagated specimens registered with the Secretariat, one in each of the following countries: the Democratic Republic of the Congo,[2] Italy[3] and Spain[4].

Decision 17.219, paragraphs a) to d): Seizures of *Encephalartos* species specimens

5. The Secretariat did not receive information about any seizures of *Encephalartos* spp. specimens, as outlined in the provisions of Decision 17.219, paragraphs a) and b). Neither did any information in the context of Decision 17.219 paragraphs c) and d) come to the attention of the Secretariat.

Decision 17.220, paragraph a): Guidelines on wildlife forensic technology as it relates to plant material

6. Pursuant to the implementation of Decision 17.220, paragraph a), the Secretariat, as an initial step, conducted online research about the availability of materials that could serve as guidelines on best practices, protocols and operational procedures to promote the use of wildlife forensic technology as it relates to plant material. The Secretariat found relevant materials in a number of publications.[5]

7. The Secretariat furthermore consulted the Wildlife Forensics Advisory Group[6] of the International Consortium on Combating Wildlife Crime (ICCWC),[7] informing the Group about the Secretariat's findings mentioned in paragraph 6 above and requesting information from the Group on any other existing materials that may be relevant in relation to Decision 17.220, paragraph a). Two members of the Wildlife Forensics Advisory Group suggested the publication *Standards and Guidelines for Forensic Botany Identification* as another particularly relevant source of information.[8]

8. The Secretariat is of the opinion that the objectives of Decision 17.220 paragraph a), have to a large extent already been met by these existing materials. Additionally, at the time of writing, no external funding had been received by the Secretariat to further implement Decision 17.220, paragraph a). It therefore proposes

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1 http://checklist.cites.org/#/en

2 https://cites.org/eng/common/reg/nu/CD

3 https://cites.org/eng/common/reg/nu/IT

4 https://cites.org/eng/common/reg/nu/ES

5 *E.g. in the following publications: (i) Bock, Jane and Norris, David (2016). Forensic Plant Science. (see https://www.amazon.com/Forensic-Plant-Science-Jane-Bock/dp/012801475X), (ii) Hall, David and Byrd, Jason (2012). Forensic Botany: A Practical Guide. (see: http://eu.wiley.com/WileyCDA/WileyTitle/productCd-0470664096.html), (iii) Partnership for Action against Wildlife Crime (PAW) (2014). Forensic Working Group Wildlife Crime. A guide to the use of forensic and specialist techniques on the investigation of wildlife crime. (available at http://www.tracenetwork.org/wp-content/uploads/2012/08/Wildlife-Crime-use-of-forensics-FWG-April-2014.pdf). The Secretariat is also aware of a "Wildlife Enforcement Directorate Sampling Guide 2014-2015" developed by Canada which may be relevant in this context.*

6 *For further information on the Wildlife Forensics Advisory Group see document CoP17 Doc. 14.2 on the International Consortium on Combating Wildlife Crime, paragraph 31*

7 https://cites.org/eng/prog/iccwc.php

8 *Society for Wildlife Forensic Science (2015). Standards and Guidelines for Forensic Botany Identification. (available at: https://www.wildlifeforensicscience.org/documents)*

to promote the use of wildlife forensic technology as it relates to plant material by bringing relevant existing guidelines and publications to the attention of the Parties.

Decision 17.220, paragraphs b) and c): Report on the legal and illegal trade in *Encephalartos* spp. specimens

9. As required by Decision 17.220, paragraph b), the Secretariat prepared a questionnaire to assist Parties in compiling information on legal and illegal trade in *Encephalartos* spp., which was made available to Parties as an Annex to Notification to the Parties No. 2017/032 of 13 April 2017.[9] In response to the Notification, the Secretariat received completed questionnaires from Japan, Monaco, New Zealand, the Philippines, Qatar, Spain, Switzerland, the United States of America and Zimbabwe.

10. The information provided by Parties indicates that illegal trade in *Encephalartos* spp. detected at international level is limited. For the period 2010-2017, only Japan, New Zealand, Spain and Switzerland reported seizures of *Encephalartos* spp., as follows:

    a) Japan reported one seizure of twenty live plants of *Encephalartos* spp. in 2014. The plants, of unknown origin, were thought to have transited through South Africa before reaching their final destination, Japan. The seized specimens were confiscated and given to a botanical garden.

    b) New Zealand reported seven seizures in the period 2013-2016, involving a total of 534 seeds from six species. In four of the seven cases, the quantity of seeds imported exceeded the quantity specified in the accompanying CITES permit. These four cases are currently still under investigation. The country of origin in the four cases was South Africa.

    c) Spain reported an incident in 2012 when 87 specimens of *E altensteinii* and one specimen of *E. ferox* were discovered in national trade. The owner of the specimens failed to provide proof of legal origin of the stock and had to pay an administrative fine of EUR 9,625.64. The plants remained in his possession.

    d) Switzerland reported one seizure at Basel Airport of one live plant of *E. lanatus* in 2012. The owner did not have an accompanying CITES permit. The alleged country of origin of the plant was Costa Rica. The seized specimen was confiscated and given to a public botanical garden.

11. Zimbabwe, the only range State among the respondents, indicated that the removal of plants from the wild by collectors for national level use is a major conservation threat to *Encephalartos* spp. in the country. Zimbabwe also indicated that it did not know to which degree removal by collectors associated with international trade represents a conservation threat to the genus in Zimbabwe.

12. The Secretariat requested the United Nations Office on Drugs and Crime (UNODC) to consult its World WISE global seizure database,[10] regarding illegal international trade in *Encephalartos* spp. Feedback received from UNODC confirmed that that the database currently contains only eight entries of seizures since 2010, the vast majority of them in Europe.

13. Data regarding legal international trade in *Encephalartos* spp. for the period 2010-2016,[11] compiled by the United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC) from the CITES Trade Database at the request of the Secretariat, suggests decreasing levels of legal trade (see Figure 1 below).

14. In the period mentioned, exporters reported a total of 41,906 live specimens, while 18,002 live specimens were reported by importers. Total volumes of live *Encephalartos* reported by exporters declined every year from 2010 to 2013, and then increased in 2014, before declining again in 2015 (Figure 1a). According to importer reported data, trade in live *Encephalartos* peaked in 2011 (Figure 1b).

15. Data from the CITES Trade Database further indicates that trade in the genus *Encephalartos* over the period 2010-2016 predominantly comprised live, artificially propagated plants (reported under source codes D and A) for commercial purposes.

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9 https://cites.org/sites/default/files/notif/E-Notif-2017-032.pdf

10 *See document CoP17 Doc. 14.2 on the International Consortium on Combating Wildlife Crime, paragraph 37*

11 *Data for 2016 should be considered incomplete as the deadline for submission of CITES annual reports for 2016 (31 October 2017) had not passed at the time of writing.*

16. South Africa was the main exporter of live *Encephalartos* species in this period, accounting for over 90% of trade in live plants. The main importer of live plants was Thailand according to trade reported by exporters (36%) and Germany according to data reported by importers (36%). *E. horridus* was the main species in trade as live plants, according to both importers and exporters, followed by *E. lehmannii*.

17. Notable levels of trade in artificially-propagated (source codes A and D) seeds for commercial purposes were also reported: 20,019 seeds reported by exporters and 3,029 seeds reported by importers.

18. Wild-sourced trade in *Encephalartos* mainly comprised seeds and other derivatives for scientific purposes, most of which were exported from the Bahamas to the United States (reported by the Bahamas only).

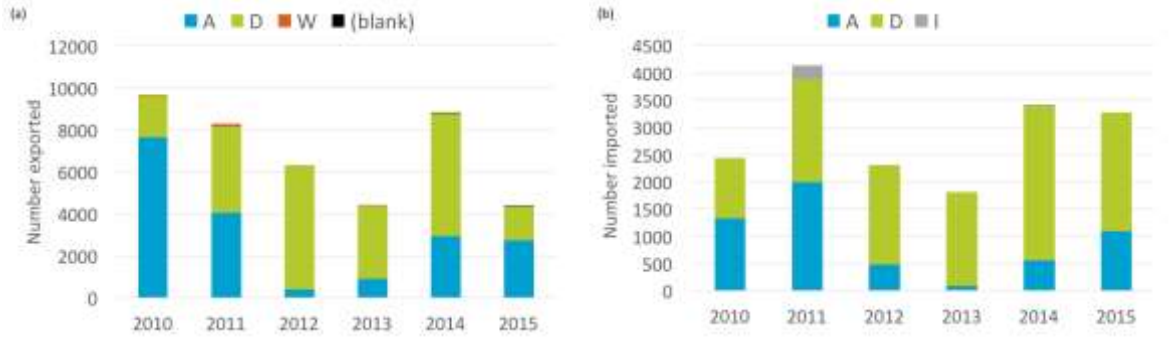

Figure 1. Trade in live *Encephalartos* by source, 2010-2015, as reported by (a) exporters and (b) importers. Data for 2016 is incomplete so has been excluded from the figures. Source: CITES Trade Database.

Conclusions

19. Given the endangered status of many *Encephalartos* species, the Secretariat is of the opinion that particular attention to illegal trade in these species seems warranted. Information about the scale and nature of illegal international trade in *Encephalartos* species however continues to remain limited.

20. Available information indicates that the levels of legal international trade in specimens of *Encephalartos* spp. are large but decreasing in volume. Legal international trade occurs mainly in the form of artificially propagated specimens. However, not all commercial trade in artificially propagated specimens comes from nurseries registered with the CITES Secretariat in accordance with Resolution Conf. 9.19 (Rev. CoP15) on *Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes*.

21. There is no specific evidence suggesting any passing of wild-sourced specimens of *Encephalartos* spp. as artificially propagated in legal international trade, although there is a possibility that this may be happening. Little is known about the degree of removal of *Encephalartos* spp. from the wild by collectors for international trade. The information provided by Zimbabwe described in paragraph 11 above, however, does give reason for concern about the harvest for domestic markets. Similarly, South Africa, in the document it submitted to CoP17, reported that illegal harvesting of adult plants to supply the domestic, and possibly also the international market, has resulted in significant declines in most species of *Encephalartos* in South Africa.[12]

22. Based on these considerations, the Secretariat is of the opinion that the best entry point for combating the illegal removal of, and trade in, wild specimens of *Encephalartos* spp. is at the national level, where range States should verify the legal origins of stocks before any export permits are granted, and strictly regulate the activities of nurseries producing artificially propagated specimens.

[12] *See document CoP17 Doc. 58, paragraph 6 (https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-58.pdf)*

Recommendations

23. The Secretariat recommends that the Standing Committee:

    a) encourage Parties to register nurseries producing artificially propagated specimens of *Encephalartos* spp. in accordance with Resolution Conf. 9.19 (Rev. CoP15), and to ensure that the correct source codes are applied when exporting artificially propagated *Encephalartos* spp. specimens;

    b) encourage all range States of *Encephalartos* spp. to step up their measures to regulate the activities of exporters of artificially propagated *Encephalartos* spp. specimens, to ensure the legal origin of stocks and to prevent *Encephalartos* spp. from the wild from entering illegal trade; and

    c) encourage all Parties, in particular range States, to implement strict measures to regulate at national level the ownership and possession of *Encephalartos* spp.