

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

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

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

Background

2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decisions 17.203 to 17.208 on *Malagasy ebonies* (*Diospyros* spp.) and *palisanders and rosewoods* (*Dalbergia* spp.), as shown in Annex 1 to the present document. These Decisions are directed to: source, transit and destination Parties; Madagascar; the Plants Committee; the Secretariat; and the Standing Committee. They seek to strengthen the implementation of the Convention's provisions for trade in these species.
3. At its 69th meeting (SC69, Geneva, November 2017), the Standing Committee considered two reports related to the implementation of these decisions (in documents [SC69 Doc. 49.1 \(Rev. 1\)](#) and [SC69 Doc. 49.2](#)), and agreed to the recommendations shown in Annex 2. These include, *inter alia*: maintaining the trade suspension for Malagasy ebonies, rosewoods and palisanders until Madagascar has complied with the requirements related to the implementation of paragraphs e) and f) of Decision 17.204, with emphasis on developing a revised use plan for stockpiles and strengthening enforcement; and reporting requirements by Madagascar and the Secretariat.

Progress since SC69

Notification No. 2018/007

4. Through [Notification to the Parties No. 2018/007](#) of 15 January 2018, the Secretariat communicated the recommendation of the Standing Committee to extend the suspension of commercial trade from Madagascar of specimens of *Diospyros* spp. (populations from Madagascar, annotation #5) and *Dalbergia* spp. (annotation #15), until the country complies with the provisions in Decision 17.204 [paragraphs e) and f)].

Plants Committee

5. At its 24th meeting (PC24, Geneva, July 2018), the Plants Committee considered documents [PC24 Doc. 18.1](#) and [PC24 Doc. 18.2](#) on Malagasy ebonies, palisanders and rosewoods. Based on these documents and recommendations from an in-session working group [see document [PC24 Com. 2 \(Rev. by Sec.\)](#)], the Plants Committee agreed to:

- a) acknowledge Madagascar's progress in implementing the inclusive process described in Decision 17.204 a); encourage continued scientific work as per Decision 17.204 a); and invite Madagascar to continue to update the Plants Committee on additional progress in this respect;
- b) invite Parties and other stakeholders to support Madagascar in its efforts, in line with the country's list of capacity-building priorities, including:
 - training of researchers/technicians (botanists) specializing in species identification;
 - raising awareness of stakeholders on CITES implementation;
 - non-detriment findings for additional species;
 - timber traceability;
 - forest management planning for CITES-listed species; and
 - strengthening enforcement capacities all along the value chain;
- c) inform the Standing Committee that it will need to review aspects of the Decisions falling under its mandate; and
- d) endorse amendments to Decisions 17.204 and 17.206 (as shown in Annex 3).

Decision 17.204, paragraph e), and recommendations a) and b) made at SC69

6. Regarding Decision 17.204, paragraph e), and related recommendations a) and b) made at SC69, the Secretariat refers to the report submitted by Madagascar in document SC70 Doc. 27.5.1 for further information on the country's continuing enforcement efforts and measures against illegal logging and export. The report highlights developments since 2017 and contains updates and complements to previous reports.
7. Noteworthy features concerning control and enforcement measures against illegal logging and export, mentioned in the report in document SC70 Doc. 27.5.2 include the following:
 - a) establishment of a special court for rosewoods and ebony in July 2018 in support of the work of the *Special Chain to fight against trafficking of rosewood and ebony* (created in 2016, but operationality remains unclear);
 - b) progress with 79 court cases on possible offences concerning rosewood and palisanders (cases compiled in 2017); and instigation of national inquiries concerning the export of an illegal rosewood shipment that was confiscated in Singapore;
 - c) new information on infractions relating to forestry registered by the Gendarmerie in 2017-2018 (five seizures, 16 people arrested; 541 logs and 380 kg of rosewood confiscated); by BIANCO (Bureau Indépendant Anti-Corruption) in 2011-2018 (forestry and wildlife crime incidents, including 50 dossiers on rosewood or ebony, six on palisanders); and by the maritime surveillance programme (one new case since SC69);
 - d) the deployment of SMART monitoring tools in protected areas, and the installation of a network-based wildlife trade and infractions information system [Madagascar Trade in Wildlife Information eXchange (TWIX), part of a regional TWIX of the Southern African Development Community]; and
 - e) ongoing regional and international collaboration, and longer-term perspectives, including: the prospect of implementing a national strategy to combat illegal activities related to wild species [supported by the United States Agency for International Development (USAID) and other organizations]; implementing the recommendations emanating from a mission on wildlife crime by the United Nations Office on Drugs and Crime (UNODC) as a member of the International Consortium on Combating Wildlife Crime (ICWC); revision of the forestry legislation to include palisanders; and the undertaking of studies for non-detriment findings (NDF) for trade in precious timbers.
8. While Madagascar progressed in meeting recommendation a) of SC69, no information is available to the Secretariat concerning recommendation b), which invited countries that had seized large consignments of

CITES-listed rosewood and ebony originating in Madagascar to share information in support of investigations and prosecutions in Madagascar. It is also not known if Madagascar or these countries requested the assistance from ICCWC in undertaking such investigations.

Decision 17.204, paragraph f), and recommendations c) and d) made at SC69

9. As requested by the Standing Committee at SC69, the Secretariat has continued to work with Madagascar and its partners to revise and finalize Madagascar's rosewood "business" or "use" plan, in particular with respect to the observations made by the Secretariat in paragraphs 33 and 34 of its document SC69 Doc. 49.2. In this context, the Secretariat participated in a well-attended and productive technical workshop in Antananarivo in June 2018, organized by the Malagasy authorities and the International Tropical Timber Organization (ITTO), and supported by the World Bank and partner organizations. The workshop allowed to review the use plan and discuss its implementation. On the basis of the outcomes and further guidance provided by the Secretariat and other stakeholders, Madagascar tailored a new version of the use plan, which it presents in [Annex 3](#) of document SC70 Doc. 27.5.1.
10. The Secretariat's initial examination of the revised use plan suggests that it incorporates most of the matters raised at SC69, but the Secretariat will draw the attention of the Standing Committee to any issues it may encounter when reviewing the document in more detail.
11. The revised use plan addresses the issues raised at SC69 as follows:
 - a) Regarding timing issues, the use plan's phases have been rephrased with a broader scope and longer timelines, running to 2020. Phase 1, composed of 4 'steps', deals with stocks verification and controls, the results of which would be reported to CITES in May 2019 (SC71). Phase 2 lays out a strategy for organizing the sales and commercialisation of the verified stocks. These two phases deal directly with Decision 17.204, paragraph f). The use plan however also mentions a new phase 3, which would look at longer-term sustainability aspects such as forestry reforms, tree identification and the making of NDFs, and run in parallel with phases 1 and 2. The proposed calendar for implementing the use plan runs from June 2018 to May 2020.
 - b) Regarding budget and resource issues, the use plan now includes fundraising strategies and budget allocations for Phase 1, Phase 2 and the new Phase 3.
 - c) Regarding controls, oversight and monitoring issues, the use plan contains a comprehensive section on governance mechanisms and oversight structures to accompany the implementation of Phases 1 and 2. The plan foresees that in Phase 1, all relevant stocks are physically moved and brought under Government control, and only these can then be part of Phase 2 (sales and auctions). The distribution of eventual revenues is described. The new marking technology being proposed should improve verification and tracing of the logs and timber involved. It remains unclear if monitoring will be organized to assess the impacts of any sales on illegal logging or timber trafficking activities.
 - d) Regarding transparency issues, the use plan contains a revised proposal for the governance structure with a hierarchical, yet multidisciplinary, approach and broad stakeholder participation, including civil society actors, non-governmental organizations, CITES, ITTO, etc. The structure proposes three oversight bodies, with details on their composition and responsibilities. The *Comité de suivi*, tasked with overseeing the use plan's implementation and providing technical and financial support, would have one or two representatives of CITES Parties, as well as the CITES Secretariat.
 - e) Regarding cooperation issues, the use plan foresees a role for the Secretariat, and possibly the Standing Committee, in the *Comite de suivi*. The use plan also foresees an important role for the Standing Committee in approving the revised plan, approving audited stockpiles and lifting trade suspensions (see paragraph 13).
 - f) Regarding the pending issues mentioned in document SC69 Doc. 49.2, the use plan now contains precisions on the compensation and incentive scheme envisaged, the making system to be applied and the auction strategies to follow.
12. In document SC70 Doc. 27.5.1, Madagascar requests that the Standing Committee approve the revised use plan. This involves the following:

- a) The use plan itself indicates that to implement the verification and sales strategies, Madagascar will ask that the current trade suspension be lifted so that the country can eliminate all government-controlled stocks through auctions and exports.
 - b) The use plan states that the main objective of Phase 1 is to meet the Standing Committee's recommendations for dealing with the stock of 323,602 logs of rosewood and ebonies, reported by Madagascar in document SC69 Doc. 49.1 (Rev. 1). It further states that this amount will form the basis on which the requirement in Decision 17.204, paragraph f) "to submit regular updates on audited inventories of at least a third of the stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar" will be based. The use plan indicates that Madagascar will seek the approval of the Standing Committee to initiate the partial sales of the audited stocks, which should provide funds to finance the securing of the remaining two-thirds.
 - c) Under item 11, the use plan further mentions that 'step 4' of Phase 1 foresees a report to the Standing Committee. The use plan's timeframe suggests that this reporting will be for SC71. The same timeframe shows that Phase 1 is scheduled to continue until late 2019. Presumably, the reporting at SC71 would be on progress with securing the seized stockpiles (step 1) as well as the declared (but not yet seized) stockpiles (step 2 and 3), and on verified audits of at least one-third of these stocks.
13. From the above, it seems that Madagascar is requesting at the present meeting that the Standing Committee approves the revised use plan and provides further guidance or oversight regarding its execution, but that the *audited inventories of at least a third of the stockpiles of species of Dalbergia and Diospyros from Madagascar* called for in Decision 17.204, paragraph f), will only become available in 2019, possibly for presentation at SC71.

Discussion

Concerning Decision 17.204, paragraph e)

14. Overall, Madagascar continues to pay considerable and specific attention to illegal trade in rosewoods and ebonies, and gradually increases its enforcement capacity to deal with wildlife and forestry crime. This progress is commendable and should be encouraged. The Secretariat notes however that the questions it raised in paragraphs 19 and 20 of document SC69 Doc. 49.2 remain pertinent, i.e. whether investigations and prosecutions in Madagascar are sufficiently targeted and effective to dismantle trafficking networks and bring to trial all involved; and how the ICWCC/UNODC recommendations concerning precious timbers, reported in an assessment published in March 2018, could be executed.

Concerning Decision 17.204, paragraph f)

15. The Secretariat is of the view that the revised use plan, presented by Madagascar in Annex 3 of document SC70 Doc. 27.5.1, has significantly improved in that: it represents a step-by-step road map for undertaking a time-bound inventory, consolidation and securing of rosewood and ebony stockpiles; it is comprehensive and detailed, spanning from inventory, marking and transportation of stocks to grading and sales; it addresses most of the concerns expressed at SC69; and it may pave the way for sustainability considerations (beyond the eventual sales of stockpiles). Madagascar and its partners should be commended for the considerable efforts undertaken to meet Standing Committee recommendations. At the same time, the use plan is expensive and complicated to implement, may be overoptimistic in its proposed timeframes, and will require considerable and ongoing political, technical and external support and oversight.
16. In the opinion of the Secretariat, the Standing Committee can approve the use plan in [Annex 3](#) of document SC70 Doc. 27.5.1. The approval would facilitate the implementation of the second component of Decision 17.204, paragraph f) (*submit regular updates on audited inventories of at least a third of the stockpiles of species of Dalbergia and Diospyros from Madagascar*), and may support the further implementation of Decision 17.204, paragraph e).
17. The Secretariat considers however that the conditions for a partial sale of audited stocks, in accordance with the criteria established in Decision 17.204, paragraphs e) and f), are not yet in place, but that these conditions could be met in case the first phase of the use plan [*Mechanisms for the verification of stockpiles*] were to be effectively implemented. Consequently, the Secretariat considers that the current trade suspension should not be lifted at this point.

Concerning draft decisions for the 18th meeting of the Conference of the Parties (CoP18)

18. As indicated above, the Plants Committee reviewed the Decisions on *Malagasy ebonies* (*Diospyros spp.*) and *palisanders and rosewoods* (*Dalbergia spp.*) directed to it, and drafted amendments to allow continued collaborating with Madagascar on scientific and management matters concerning these species.
19. The Plants Committee also agreed to inform the Standing Committee that it might need to undertake a similar review of Decisions directed to it. In case the Standing Committee agrees to undertake such a revision, the Secretariat offers some suggestions for replacing the current Decisions 17.203 to 17.208 with new draft decisions for consideration at CoP18, taking account of the proposals of the Plants Committee for Decisions 17.204 and 17.206. The amendments are summarized below and presented in Annex 4.
 - a) The Secretariat is of the opinion that the content of **Decisions 17.203 and 17.205**, directed respectively to source, transit and destinations Parties for Malagasy *Diospyros spp.* and *Dalbergia spp.* and to Parties, can be merged. It proposes a new draft decision 18.AA, taking account of the following considerations:
 - The final language of draft decision 18.AA may depend on recommendations by the Standing Committee regarding the use plan presented by Madagascar at the present meeting.
 - Decisions 17.203 and 17.205 contain reporting requirements for source, transit and destinations Parties for Malagasy *Diospyros spp.* and *Dalbergia spp.*, and for Parties. These proved difficult to implement, and may be superfluous considering the reporting obligations reflected in more relevant draft decisions, notably those directed to Madagascar and the Secretariat. Decision 17.203 also calls upon Parties to develop 'action plans' for managing timber stockpiles of Malagasy *Dalbergia spp.* and *Diospyros spp.* held outside Madagascar, but the provisions in Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* seem to provide the necessary guidance in this regard.
 - Concerning Decision 17.205, directed to Parties, the Plants Committee advised the Standing Committee to review this Decision, and clarify particularly the content of paragraph b) and its relationship with the audited inventories called for in Decision 17.204, paragraph f). New possible language is reflected in paragraph b) of draft decision 18.AA.
 - b) The amendments that the Plants Committee proposed to **Decision 17.204**, directed to Madagascar, concern paragraphs a), b), c) and d) (i.e. the paragraphs it was monitoring and supporting). The Standing Committee is advised to review the remaining paragraphs e), f) and g) in Decision 17.204. The Secretariat has proposed new draft decision 18.BB, which shows amendments to what has been proposed by the Plants Committee, in addition to others that may be needed, noting that the language will depend on recommendations of the Standing Committee at the present meeting regarding enforcement measures and the use plan.
 - c) A revision and update of **Decision 17.206**, directed to the Plants Committee, is presented as draft decision 18.CC in Annex 4.
 - d) A revision and update of **Decision 17.207**, directed to the Standing Committee, is proposed by the Secretariat in draft decision 18.DD in Annex 4.
 - e) A revision and update of **Decision 17.208**, directed to the Secretariat, is proposed in draft decision 18.EE in Annex 4.
20. The approach outlined in paragraph 19 proposes a continuation of the measures that Madagascar and CITES Parties have taken since CoP16 concerning trade in Malagasy ebonies (*Diospyros spp.*) and palisanders and rosewoods (*Dalbergia spp.*), i.e. by means of the adoption of dedicated decisions directed to key stakeholders. The Secretariat recognizes that the compliance elements of the draft decisions should be aligned with the procedures outlined in [Resolution Conf. 14.3](#) on *CITES compliance procedures*.

Recommendations

21. The Standing Committee is invited to:

- a) consider jointly the Secretariat's report in the present document and Madagascar's report in document SC70 Doc. 27.5.1, as per Decision 17.207;
- b) concerning the implementation of Decision 17.204 paragraph e), note the progress that Madagascar continues to make in strengthening control and enforcement measures against illegal logging and export, and recommend that these efforts be continued;
- c) concerning the implementation of Decision 17.204 paragraph f), approve the use plan in Annex 3 of document SC70 Doc. 27.5.1;
- d) agree to maintain the recommendation for Parties not to accept exports or re-exports for commercial purposes from Madagascar of specimens of *Diospyros* spp. (populations from Madagascar; annotation #5) and *Dalbergia* spp. (annotation #15) until Madagascar has complied with all the provisions in Decision 17.204, paragraphs e) and f), by:
 - i) continuing to strengthen control and enforcement measures against illegal logging and export at the national level, including seizures, investigations, arrests, prosecutions, and sanctions; and
 - ii) submitting an audited inventory of at least a third of the stockpiles of logs, sawn wood and veneer sheets of species of *Dalbergia* spp. and *Diospyros* spp. from Madagascar, achieved in accordance with the approved use plan, for consideration and approval of the Committee; and
- e) consider the draft decisions concerning Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.) in Annex 4, as proposed by the Secretariat, and request the Secretariat to take these forward for consideration by the Conference of the Parties at its 18th meeting as appropriate.

Decisions 17.203 to 17.208: Malagasy ebonies (*Diospyros* spp.), and palisanders and rosewoods (*Dalbergia* spp.)

Directed to source, transit and destinations Parties for Malagasy Diospyros spp. and Dalbergia spp.

17.203 *Source, transit and destination Parties for specimens of species of the genera Dalbergia and Diospyros occurring in Madagascar are urged to:*

- a) *enforce all the measures that are recommended by the CITES Standing Committee concerning commercial trade in specimens of these species from Madagascar, including suspensions of such trade;*
- b) *develop action plans to effectively manage timber stockpiles of Dalbergia spp. and Diospyros spp. from Madagascar; and*
- c) *provide written reports describing progress made with implementation of paragraphs a) and b) of this Decision to the Standing Committee.*

Directed to Madagascar

17.204 *Madagascar shall:*

- a) *continue to develop an inclusive process to identify the main commercially valuable species in these genera from Madagascar, in cooperation with transit and destination Parties, the CITES Secretariat and relevant partners, such as the International Tropical Timber Organization (ITTO), the International Consortium on Combating Wildlife Crime (ICWC), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations concerned with trade in timber of rosewood, ebonies and palisanders;*
- b) *for those species identified under paragraph a) establish, in collaboration with the CITES Secretariat, a precautionary export quota based upon a scientifically robust non-detriment finding;*
- c) *subject to the availability of funds, organize workshops in support of the implementation of paragraphs a) and b) of this Decision, and to strengthen the national capacity to formulate non-detriment findings, and identify and agree on monitoring mechanisms that include appropriate technology (e.g. timber tracking);*
- d) *continue the production of identification materials for identifying timber and timber products of species of the genera Dalbergia and Diospyros from Madagascar;*
- e) *for those species identified under paragraph a), significantly strengthen control and enforcement measures against illegal logging and export at the national level including seizures, investigations, arrests, prosecutions, and sanctions;*
- f) *submit regular updates on audited inventories of at least a third of the stockpiles of species of Dalbergia and Diospyros from Madagascar, and a use plan for consideration, approval and further guidance from the Standing Committee; and*
- g) *provide written reports on progress with the implementation of paragraphs a) to d) of this Decision to each meeting of the Plants Committee; on progress with the implementation of paragraphs e) and f) of this Decision to the Standing Committee; and on progress with the implementation of this Decision to the Conference of the Parties at its 18th meeting.*

Directed to Parties

17.205 *Parties and relevant partners indicated in Decision 17.204 paragraph a) are invited to:*

- a) *provide technical and financial assistance to support the implementation of Decisions 17.203 to 17.208;*
- b) *provide technical and financial assistance in support of conducting audited inventories of Dalbergia spp. and Diospyros spp. from Madagascar; and*
- c) *provide reports to the Standing Committee, including information received from relevant partner organizations, concerning progress with the implementation of paragraphs a) and b) of this Decision.*

Directed to the Plants Committee

17.206 *The Plants Committee shall:*

- a) *review and assess reports from Madagascar on its implementation of Decisions 17.204 paragraphs a) to d), and from the Secretariat on the implementation of Decision 17.208, and provide recommendations to Madagascar and the Standing Committee and other bodies as appropriate;*
- b) *continue supporting the preparation of a standard reference for the names of species of the genera Diospyros and Dalbergia occurring in Madagascar, to be adopted, if appropriate, at the 18th meeting of the Conference of the Parties; and*
- c) *assist Madagascar in the identification of technical resources in support of the implementation of Decisions 17.204 paragraphs a) to d), and if needed, make recommendations to Madagascar, Standing Committee and other relevant organizations.*

Directed to the Standing Committee

17.207 *The Standing Committee shall review and assess reports from Madagascar on the implementation of Decision 17.204 paragraph e) and f), and from the Secretariat on the implementation of Decision 17.208, and make recommendations, which may include appropriate compliance measures and an assessment as to whether the conditions for a partial sale of audited stocks are in place, in accordance with the criteria established in Decision 17.204, paragraphs e) and f).*

Directed to the Secretariat

17.208 *The Secretariat shall:*

- a) *assist Madagascar, relevant Parties, and the Standing and Plants Committees in the implementation of Decisions 17.203 to 17.207;*
- b) *subject to available funding, assist with relevant capacity-building activities in Madagascar and transit and destination countries concerned by the trade in specimens of Diospyros spp. and Dalbergia spp. from Madagascar, including through international capacity building workshops; and*
- c) *provide written reports on progress with the implementation of this Decision to the Plants Committee and the Standing Committee, as appropriate.*

**Recommendations by the Standing Committee, made at its 69th meeting (Geneva, 2017)
(see SC69 Summary Record, item 49)**

Concerning Decision 17.204, paragraph e)

- a) The Standing Committee noted the progress that Madagascar has made in strengthening control and enforcement measures against illegal logging and export, and recommends that these efforts be continued and expanded, as observed in paragraphs 19 and 20 of document SC69 Doc. 49.2;
- b) The Standing Committee invited countries that seized large consignments of CITES-listed rosewood and ebony originating in Madagascar to share information in support of investigations and prosecutions in Madagascar; and to request the assistance from ICCWC in undertaking these investigations;

Concerning Decision 17.204, paragraph f)

- c) The Standing Committee noted that, to date, there is no audited inventory of at least a third of the stockpiles of logs, sawn wood and veneer sheets of the species of *Dalbergia* and *Diospyros* in Madagascar, and encourages Madagascar to undertake these inventories and audits in a transparent and controlled manner;
- d) The Standing Committee welcomed the use plan in Annex 4 of document SC69 Doc. 49.2 (Rev. 1), but considers that it cannot be approved at present, and requests the Secretariat to continue working with Madagascar and its partners to revise and finalize it, particularly with respect to the observations made in paragraphs 33 and 34 of document SC69 Doc. 49.2;

Conclusions

- e) The Standing Committee therefore agreed to maintain the recommendation for Parties not to accept exports or re-exports for commercial purposes from Madagascar of specimens of *Diospyros* spp. (populations from Madagascar; annotation #5) and *Dalbergia* spp. (annotation #15) until Madagascar has complied with the provisions in Decision 17.204, paragraphs e) and f), by:
 - i) significantly strengthening control and enforcement measures against illegal logging and export at the national level, including seizures, investigations, arrests, prosecutions, and sanctions, including towards high-level offenders;
 - ii) submitting an audited inventory of at least a third of the confiscated and declared stockpiles of logs, sawn wood and veneer sheets of species of *Dalbergia* spp. and *Diospyros* spp. from Madagascar for consideration and approval of the Committee; and
 - iii) submitting a use plan that is revised as recommended in paragraph d), for consideration and approval of the Committee;
- f) The Standing Committee requested the Secretariat to report on progress made by Madagascar with the implementation of paragraphs e) and f) of Decision 17.204 at the 70th meeting of the Standing Committee;
- g) The Standing Committee requested the Secretariat to report on progress made by Parties and relevant partners in providing technical and financial assistance to support the implementation of Decisions 17.203 to 17.208 and the finalization and implementation of the use plan at the 70th meeting of the Standing Committee;
- h) The Standing Committee urged Parties and relevant partners to provide technical and financial assistance to support the implementation of Decisions 17.203 to 17.208 and the finalization and implementation of the use plan;

- i) The Standing Committee invited transit and destination Parties to implement Decision 17.203 and follow guidance provided in Resolution Conf. 17.8, in particular paragraphs 2 and 8 therein, and to report progress to the 70th meeting of the Standing Committee; and
- j) The Standing Committee also urged Madagascar to make progress in developing a plan for how it will identify and take control of undeclared and hidden stocks of *Dalbergia* spp. and *Diopsyros* spp. and invited Madagascar to provide information related to these efforts in its report to the Standing Committee at its 70th meeting.

Amendments to Decisions 17.204 and 17.206 proposed by the Plants Committee
[see document PC24 Com. 2 (Rev. by Sec.)]

17.204 (Rev. CoP18) Directed to Madagascar

Madagascar shall:

- a) continue to ~~develop an inclusive process to~~ identify the main commercially valuable species in these genera from Madagascar, in cooperation with transit and destination Parties, the CITES Secretariat and relevant partners, such as the International Tropical Timber Organization (ITTO), the International Consortium on Combating Wildlife Crime (ICWC), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations concerned with trade in timber of rosewood, ebonies and palisanders;
- b) continue to make progress in the development of non-detriment findings for commercially valuable species in the genera *Dalbergia* and *Diospyros*, including implementation of appropriate monitoring mechanisms, and report on progress to future meetings of the Plants Committee;
- ~~b~~c) for those species identified under paragraph a) establish, in collaboration with the CITES Secretariat, a precautionary export quota based upon a scientifically robust non-detriment finding;
- ~~c~~e) ~~subject to the availability of funds, organize workshops in support of the implementation of paragraphs a) and b) of this Decision, and to strengthen the national capacity to formulate nondetriment findings, and identify and agree on monitoring mechanisms that include appropriate technology (e.g. timber tracking);~~
- d) continue the production of identification materials for identifying timber and timber products of species of the genera *Dalbergia* and *Diospyros* from Madagascar;
- ~~d~~e) seek support to address capacity-building needs in line with the country's priority list of technical and scientific challenges;
- ~~e~~f) for those species identified under paragraph a), significantly strengthen control and enforcement measures against illegal logging and export at the national level including seizures, investigations, arrests, prosecutions, and sanctions;
- f)g) submit regular updates on audited inventories of at least a third of the stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar, and a use plan for consideration, approval and further guidance from the Standing Committee; and
- g)h) provide written reports on progress with the implementation of paragraphs a) to d) of this Decision to each meeting of the Plants Committee; on progress with the implementation of paragraphs e) and f) of this Decision to the Standing Committee; and on progress with the implementation of this Decision to the Conference of the Parties at its 18th meeting.

17.206 (Rev. CoP18) Directed to the Plants Committee

The Plants Committee shall:

- a) review and assess reports from Madagascar on its implementation of Decision 17.204 paragraphs a) to ~~ed~~, and from the Secretariat on the implementation of Decision 17.208, and provide recommendations to Madagascar and the Standing Committee and other bodies as appropriate;
- b) continue supporting the preparation of a standard reference for the names of species of the genera *Diospyros* and *Dalbergia* occurring in Madagascar, ~~to be adopted, if appropriate, at the 18th meeting of the Conference of the Parties;~~ and

- c) assist Madagascar in the identification of technical resources in support of the implementation of Decision 17.204 paragraphs a) to ~~ee~~), and if needed, make recommendations to Madagascar, Standing Committee and other relevant organizations.

**Draft decisions on Malagasy ebonies (*Diospyros* spp.), and
palisanders and rosewoods (*Dalbergia* spp.) for consideration at CoP18**

Directed to Parties and other relevant partners

- 18.AA Parties and relevant partners, such as the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations, are invited to:
- a) enforce all measures that are recommended by the CITES Standing Committee concerning commercial trade in specimens of Malagasy *Diospyros* spp. and *Dalbergia* spp. from Madagascar;
 - b) as appropriate, collaborate with Madagascar in the implementation of the use plan to manage timber stockpiles of specimens of these species from Madagascar; and
 - c) provide technical and financial assistance to support the implementation of Decisions 18.BB to 18.EE.

Directed to Madagascar

- 18.BB Madagascar shall:
- a) continue to identify the main commercially valuable species in the genera *Dalbergia* and *Diospyros* from Madagascar, in cooperation with the Secretariat and relevant partners, such as the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations;
 - b) continue to make progress in the development of non-detriment findings for commercially valuable species in the genera *Dalbergia* and *Diospyros*, including implementation of appropriate monitoring mechanisms, and report on progress to future meetings of the Plants Committee;
 - c) for those species identified under paragraph a) establish, in collaboration with the CITES Secretariat, a precautionary export quota based upon a scientifically robust non-detriment finding;
 - d) continue the production of identification materials for timber and timber products of species of the genera *Dalbergia* and *Diospyros* from Madagascar;
 - e) for those species identified under paragraph a), strengthen control and enforcement measures against illegal logging and export at the national level including seizures, investigations, arrests, prosecutions, and sanctions;
 - f) implement the use plan for managing stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar in Annex 3 of document SC70 Doc. 27.5.1; and
 - g) provide reports on progress with the implementation of paragraphs a) to d) of this Decision to the Plants Committee; and on progress with the implementation of paragraphs e) and f) of this Decision to the Standing Committee.

Directed to the Plants Committee

- 18.CC The Plants Committee shall:
- a) review reports from Madagascar and the Secretariat as appropriate on the implementation of Decisions 18.BB and 18.EE, and provide recommendations to the Standing Committee and the Secretariat; and

- b) provide assistance to Madagascar with the implementation of paragraphs a) to d) of Decision 18.BB.

Directed to the Standing Committee

18.DD The Standing Committee shall review reports from Madagascar and the Secretariat on the implementation of Decisions 18.BB and 18.EE, and make recommendations to Madagascar, relevant Parties and the Secretariat as appropriate, and take compliance measures in accordance with Resolution Conf. 14.3 on *CITES compliance procedures* if Madagascar fails to satisfactorily implement the actions directed to it in Decision 18.BB.

Directed to the Secretariat

18.EE The Secretariat shall:

- a) assist Madagascar, relevant Parties, and the Standing and Plants Committees in the implementation of Decisions 18.AA to 18.DD;
- b) subject to external funding, assist with relevant capacity-building activities in Madagascar and transit and destination countries concerned by the trade in specimens of *Diospyros* spp. and *Dalbergia* spp. from Madagascar, including activities related to the implementation of the use plan to manage timber stockpiles of specimens of these species from Madagascar in Annex 3 of document SC70 Doc. 27.5.1; and
- c) provide reports on progress with the implementation of this Decision to the Plants Committee and the Standing Committee, as appropriate.