

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



Seventy-fourth meeting of the Standing Committee  
Lyon (France), 7 - 11 March 2022

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

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

REPORT OF MADAGASCAR

1. This document has been submitted by Madagascar.\*
2. At its 18th meeting (Geneva, Switzerland, 17-28 August 2019), the Conference of the Parties updated the CITES Action Plan for Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) and clarified responsibilities in Decisions 18.94 to 18.98.

Madagascar must implement the actions set out in Decision 18.94. These actions are clustered into three major areas, specifically:

- a) Sustainable management of biodiversity and scientific research [Decision 18.96, paragraphs a) to d)]
  - b) Significant strengthening of enforcement measures against illegal logging and export [Decision 18.96, paragraph e)]
  - c) Management of stockpiles of precious woods [Decision 18.96, paragraph f)]
3. To implement these actions, Madagascar will share with the Secretariat a proposed budget to seek assistance from Parties and technical and financial partners for the implementation of this Decision [paragraph g)]
  4. In addition, in accordance with paragraph b) of Decision 18.98, at the request of Madagascar, the CITES Standing Committee established at its 72nd meeting (Geneva, Switzerland, from 28 August 2019), an intersessional advisory group (IAG) on Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) with a mandate to assist and advise Madagascar on the implementation of all actions taken under CITES on *Dalbergia* spp. and *Diospyros* spp.

The intersessional advisory group is chaired by Madagascar (see its terms of reference in Annex 4) and is composed of the following members of the African region: Kenya and Morocco; Asia: Nepal and Thailand;

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Central and South America and the Caribbean: Nicaragua; Europe: European Union and Ireland; North America: United States of America.

Three virtual meetings with the technical support of the CITES Secretariat took place between July 2020 and October 2021. The agenda of these meetings of the IAG included discussions on the implementation of Decision 18.96 (paragraphs a, b, c, d, e, f). The first meeting of the IAG took place on 15 July 2020 and dealt with the scientific aspects of the Action Plan and the other two meetings dealt with the governance of stockpiles of precious woods.

5. In June 2021, Madagascar submitted a report to the 25th meeting of the Plants Committee on the implementation of Decision 18.96, paragraphs a), b), c) and d) and on the scientific aspects of the Action Plan.

The present document is the report of Madagascar and refers to Decision 18.96 directed to Madagascar:

- paragraphs a), b), c) and d) on the update of information following the 25th meeting of the Plants Committee;
  - paragraphs e) and f):
    - e) for those species identified under paragraph a), [Madagascar shall] strengthen control and enforcement measures against illegal logging and export at a national level, including seizures, investigations, arrests, prosecutions and sanctions, regardless of the title and level of responsibility of the offenders;
    - f) subject to available funding, [Madagascar shall] secure the stockpiles (including undeclared and hidden stocks) of timber of *Dalbergia* spp. and *Diospyros* spp. in Madagascar, and submit regular updates on audited inventories thereof, and a use plan based on transparency and independent oversight mechanisms, for consideration, approval and further guidance from the Standing Committee.
6. Madagascar recommends that the Standing Committee take note of this document and the progress reported.

## PROGRESS REPORT ON IMPLEMENTATION BY MADAGASCAR

Since January 2019, Madagascar has elected a new President. The new vision regarding the environment is to make Madagascar green again. Strong actions aimed at launching a major national reforestation campaign are under way since 2019. The objective is to reforest at least 40,000 ha per year with a minimum of 40 million trees, under a national reforestation plan; to restore 400,000 ha of wooded area by 2030; and to conserve natural forests. The attributions of the Ministry of the Environment and Sustainable Development can be found in Annex 5 to this document.

At the 18th meeting of the Conference des Parties (CoP18 – Geneva, Switzerland, 17-28 August 2019), Madagascar provided reassurance on the country's change of paradigm and declared that Madagascar will not consider any trade in these stockpiles until:

- The stockpiles are under control;
- The risks of illegal trade have been assessed and controlled; and
- The necessary capacity regarding forest controls has been secured.

At CoP18, Madagascar reconfirmed that the 29,434 logs of rosewood (*Dalbergia* spp.) listed in CITES Appendix II seized by the CITES Management Authority of Singapore in March 2014 from Madagascar had indeed been illegally exported out of Madagascar. At the request of Madagascar and the other Parties, the CITES Secretariat issued Notification to the Parties No. 2019/051 of 26 September 2019 on the "Current status of Malagasy rosewood logs seized by Singapore in March 2014 and advisory on rosewood stockpile originating from Madagascar". The CITES Secretariat invited the Parties to inform the Secretariat if they received information relating to rosewood stockpiles originating from Madagascar. Pursuant to a Decision adopted by CoP18, potential destination countries of shipments of illegal specimens of *Dalbergia* spp. and *Diospyros* spp. from Madagascar should take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.

The Government of Madagascar has made the fight against illegal wildlife trade one of its priorities under the Initiative for the Emergence of Madagascar and committed to "abolish all trafficking of natural resources, including rosewood, turtles and other endemic species of fauna and flora". Many measures have been taken over the last few years, in particular to strengthen the fight against corruption and money laundering associated with illegal wildlife trade and establish a specific mechanism under criminal law to combat illegal trade of precious woods.

The Government of Madagascar, through its Ministry of the Environment and Sustainable Development, has the strong will to restructure the precious wood industry. It should be noted that there have not been any exports of precious woods from Madagascar since January 2019 (cf. Annex 2 - confirmation of Instruction Note No. 3 of 29 January 2020, banning any logging, exploitation, movement or export of Malagasy ebonies, palisanders and rosewoods). The current zero tolerance policy in the fight against illegal wildlife trade and all its forms includes the systematic appeal of cases in which the Ministry did not win. A few examples of initiatives under way include:

- strengthening of controls on the ground: measures of control and surveillance in borders and protected areas have been strengthened (specifically with the SMART system).
- the signing of a protocol between the Ministry of the Environment and Sustainable Development and the Independent Anti-Corruption Bureau.
- satellite surveillance at sea by the CFIM, the Centre for Maritime Information Fusion.
- a project to fight corruption and wildlife trafficking in Madagascar: This project reinforces the initiative of the Ministry of the Environment and Sustainable Development through the creation of the Anti-Corruption Unit (*Unité de Lutte contre la Corruption*) with the aim of achieving its strategic vision of improving environmental governance and supports the implementation of the overall policy of the Malagasy State by advocating for sustainable management and conservation of the renewable natural resources of the country. A priority area of work under this strategic line of action is zero tolerance of any kind of trafficking of endemic, threatened or endangered species. The objective is to combat corruption and trafficking of endangered species, which has been a major problem for years in Madagascar. The project brings together a consortium of stakeholders, including TRAFFIC International, Transparency International Initiative Madagascar, Alliance Voahary Gasy and three ministries (i.e., the Ministry of the Environment and Sustainable Development, the Department of Justice and the State Secretariat in charge of the National Gendarmerie).

The actions taken by Madagascar for the implementation of Decision 18.96 on Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) are the following:

**Paragraph 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;**

**List of large tree species:**

- 35 species of *Dalbergia* identified
- 82 species of *Diospyros* identified

**National wood reference collection:**

- 83% of *Dalbergia* species (based on 48 species according to Bosser and Rabevohitra 2005)

40 of 48 species of *Dalbergia* described

(Except *Dalbergia aurea*, *D. bojeri*, *D. andapensis*, *D. campenonii*, *D. gautieri*, *D. tsaratananensis*)

Six new *Dalbergia* species identified in the last four years: *D. razakamalalae*, *D. antsirananae*, *D. obcordata*, *D. bemarivensis*, *D. chemerzonii*, *D. obtusa*.

47% of species of *Diospyros* (based on 250 species according to www.tropicos.org)

114 of 250 species of *Diospyros* described

**Paragraph 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;**

A list of candidate species for the making of non-detriment findings (NDFs) that meet the required conditions is proposed as follows:

- *Dalbergia chlorocarpa*, in the western part of Madagascar
- *Dalbergia trichocarpa*, in the western part of Madagascar
- *Dalbergia normandii*, in eastern Madagascar
- *Diospyros sennenii*, in northern Madagascar

The criteria used to choose these candidate species are:

- Frequent availability of individuals in forests outside protected areas;
- The preference of the (domestic and international) market for the timber of these species;
- The possibility to identify the individuals standing and the wood of these species compared to others.

**Paragraph 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**

The proposed precautionary export quota will be established based on studies on these species.

**Paragraph d) – continue the production of identification materials for timber products from species of the genera *Dalbergia* and *Diospyros* from Madagascar**

**Identification tools are available for:**

- 19 *Dalbergia* species
- 23 *Diospyros* species

Three laboratories for timber analysis that use molecular, anatomical and near-infrared spectroscopy (NIRS) methods are currently functional for use by the CITES Scientific Authority for plants of Madagascar.

***Paragraph 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, regardless of the title and level of responsibility of the offenders.***

## MEASURES TO COMBAT ILLEGAL FOREST EXPLOITATION

### 1. Ban on logging, exploitation and movement of palisanders in Madagascar: Instruction Note MEDD 001/Mi/2019

In December 2016, the Ministry of Environment, Ecology and Forests issued Instruction Note No. 897/16/MEEF/Mi suspending all commercial logging authorizations and exploitation permits within management transfer areas for precious woods.

In January 2019, in the framework of the reform of the forest product sector, the Ministry of the Environment and Sustainable Development (MEDD) reinforced the Note by prohibiting the logging, exploitation, movement and shipment of wood from natural or artificial forests of the State.

The current Minister of the Environment and Sustainable Development issued a communication from the Council of Ministers in October 2020. Specifically, Note No. 003/2021/MEDD (Annex 2) confirmed the prohibition of the logging, exploitation, transport and shipment of precious woods: rosewoods and palisanders (*Dalbergia* spp.) and ebonies (*Diospyros* spp.). The Note is currently in force.

#### 2.1 Control measures in the regions

The Ministry, through its Regional Directorates (22 regions), has strengthened controls at regional level against the illegal exploitation of forests.

As a reminder, Ordinance No. 60–128 sets the procedures applicable to the prosecution of infringements of forest, hunting, fishing and environmental protection legislation. Under this text, officials empowered to enforce violations of forest legislation seize and sequester all the products of the infringements.

Act No. 2005–018 on international trade in species of wild fauna and flora implements CITES in Madagascar and sets the general rules applicable to the enforcement of violations regarding the use of CITES-listed species.

Organic Law No. 2015-056 on the creation of the “Special Chain to fight against trafficking of rosewood and/or ebony” and enforcement of infringements regarding rosewood and/or ebony.

Act No. 2015–005 recasting the Protected Area Management Code (*Code de Gestion des Aires Protégées*) entered into force on 26 February 2015. This act regulates everything related to protected areas, such as the various categories and components and the zoning of protected areas. The distinguished feature of this new act is the total elimination of the settlement fine known as *transaction*, which the former act provided for. This act, known as COAP, establishes all categories of infringements.

- **Report on the compilation of data on seizures, arrests and prosecutions (2019–2021, source: Regional Directorates for Environment and Sustainable Development, Ministry of the Environment and Sustainable Development, MEDD)**

The Forest Control Service of the General Directorate for Environmental Governance (*Direction Générale de la Gouvernance Environnementale*) in Antananarivo compiles data every year on forest crimes committed in the jurisdictions of the Regional Directorates. The compilation of the data for the previous year is available in June of the following year. The Department of Legal Affairs and Litigation (*Direction des Affaires Juridiques et du Contentieux*) is currently developing a standard database for each General Directorate to record the data in.

For this report, the General Secretariat of the Ministry made a specific request to collect data from the Regional Directorates of the Ministry of the Environment and Sustainable Development.

Table 1: Summary of CITES-related forestry infractions recorded at the regional level (database of the Direction de Contrôle Forestier or Forest Control Directorate, 2019-2020)

Region	No. of offenders		No. of offences				Case handled by			
			fauna		flora		Prosecutor's office		Other/ Transaction	
	2019	2020	2019	2020	2019	2020	2019	2020	2019	2020
Androy	12	ND	6	ND	0	ND	4	ND	2	ND
Anosy	37	15	1	0	16	8	12	8	5	0
Atsimo Antsinanana	25	20	0	0	17	16	15	16	2	0
Alaotra mangoro DREDD	44	73	0	0	9	23	7	23	2	0
Alaotra mangoro CIREF	52	112	0	0	41	63	11	63	30	0
Boeny Betsiboka	53	ND	1	ND	30	ND	31	ND	0	ND
Bongolava-Itasy	3	35	0	0	3	15	0	15	3	0
Amoron'I mania	8	ND	0	ND	2	ND	2	ND	0	ND
Analamanga	13	34	2	3	4	11	6	14	0	0
Analanjirofo	89	87	0	1	73	73	34	74	39	0
Antsinanana		105		1		59		60		0
Atsimo Andrefana	9	39	0	1	4	18	3	19	1	0
DIANA	69	189	0	2	57	106	41	108	16	0
Haute matsiatra	54	25	0	1	50	19	15	10	35	10
Ihorombe	35	18	1	1	9	6	9	7	1	0
Menabe	60	69	1	2	41	37	33	39	8	0
Melaky	5	11	0	1	3	10	1	11	2	0
SAVA	43	35	0	0	28	31	ND	31	ND	0
Sofia	186	40	0	0	110	15	ND	15	ND	0
Vakinankaratra	11	18	0	0	6	7	5	7	1	0
Vatovavy Fitovinany	1	151	0	0	1	105	0	105	1	0
<b>Status in 2019</b>	<b>979</b>	<b>1076</b>	<b>19</b>	<b>13</b>	<b>587</b>	<b>622</b>	<b>278</b>	<b>625</b>	<b>189</b>	<b>10</b>

Table 2: Summary of data on palisander seizures held by Regional Directorates for Environment and Sustainable Development, DREDD (database of the DREDD)

Region	Data on palisander seizures	
	ESTIMATED VOLUME (M3)	Comments
Androy		
Anosy	229,752	Seized between 2020 - 2021
Atsimo Antsinanana		Number: 146 (square and other timber) seized in 2018
Alaoatra mangoro DREDD	23,82	
Alaoatra mangoro CIREF		
Boeny Betsiboka	4,937	Seized between 2018 - 2019
Bongolava-Itasy		
Amoron'I mania	11,071 and finished products	Seized between 2019 - 2021
Analamanga	16,703	Seized between 2019 - 2020
Analanjifofo	739,36	Seized between 2015 - 2020
Antsinanana	27.51	Seized between 2013 - 2019
Atsimo Andrefana	300.32	Number: 144 (square and other timber) seized in 2018
DIANA		Number: 282 (square and other timber) seized between 2018 - 2020
Haute matsiatra		
Ihorombe		
Menabe	100,386	Seized between 2018 - 2021
Melaky	74,73	Seized between 2019 - 2021
SAVA	51,735	Seized between 2016 - 2020
Sofia		
Vakinankaratra	23,602	
Vatovavy Fitovinany	2,989	Seized between 2005 - 2020
<b>Status in 2019</b>	<b>1606,915</b>	

In March 2020, a state of health emergency was declared in Madagascar with the spread of the COVID-19 pandemic. Several regions are in lockdown for this reason and interregional travel is restricted. This situation involves risks of illegal exploitation of natural resources. The Ministry has increased controls of sensitive areas. There have been cases of illegal exploitation of forests, wildlife and mangroves intercepted and prosecutions are under way.

On 6 November 2021, as a result of control efforts, enforcement officials of the Ministry of the Environment and Sustainable Development seized 42 logs (0.41m<sup>3</sup>) in Antananarivo for illegal possession of rosewood (*Dalbergia* spp). Two main authors and 4 accomplices were implicated. The case was transferred to the competent court and is awaiting trial.

## 2.2 Surveillance measures in protected areas

Surveillance and control measures are implemented by patrols in protected areas according to the significance of the threats to the different zones or to the intelligence available in the management unit. Patrol efforts and pressures observed are monitored with SMART (Spatial Monitoring and Reporting Tool) software.

There are three types of patrols:

- patrols conducted by *Agents de Parc* (National Park Guards), officials of Malagasy National Parks;
- patrols carried out by *Comités Locaux des Parcs* (Local Park Committees) from neighbouring communities; and
- patrols conducted by mixed brigades composed of officials of Malagasy National Parks, the Local Park Committees and judicial police officers. Missions of mixed brigades are implemented particularly for security reasons or as a deterrent.

In the face of human pressures, mixed brigade missions have been strengthened at several sites to counter and reduce such pressures. However, this requires a special effort to ensure the effective involvement of judicial police officers in the treatment of violations, enforcing the current legislation and zero tolerance policy.

Patrol efforts of the Malagasy National Parks (MNP) network based on SMART software and conducted from 2019 to November 2021 are shown in the table below.

*Table 3: Patrol efforts by Malagasy National Parks (2019 – 2021)*

	Patrols by <i>Agents de Parc</i>			Patrols by <i>Comités Locaux des Parcs</i>			Patrols by mixed brigades		
	2019	2020	2021	2019	2020	2021	2019	2020	2021
Number of patrols	6 635	8 111	8 402	6 772	5 912	5 890	208	473	290
Number of patrol days	13 683	16 314	16 437	16 427	15 714	13 524	431	924	608
Number of patrollers	989	995	994	3 147	2 817	2 512	342	552	286
Patrol man-days	31 075	37 080	36 285	52 330	51 052	44 711	1 510	3 905	1 619
Distance travelled (Km)	97 799	148 402	117 346	68 111	89 317	76 619	4 136	7 761	4 556

### 2.2.1 Controls in the Rainforests of Antsinanana (protected areas)

For the serial property (World Heritage Site) of Ala Atsinanana, patrols have been strengthened. Patrolling efforts by the *Agents du Parc*, les *Comités Locaux des Parcs* and mixed brigades from 2019 to November 2021 are shown in the table below.

*Table 4: Summary of patrol efforts by mixed brigades and MNP Agents de Parc in the forests of Ala Antsinanana (2019 – 2021)*

	Patrols by <i>Agents de Parc</i>			Patrols by <i>Comités Locaux des Parcs</i>			Patrols by mixed brigades		
	2019	2020	2021	2019	2020	2021	2019	2020	2021
Number of patrols	1 462	1 343	1 674	1 097	608	774	42	61	46
Number of patrol days	3 995	3 642	4 243	2 758	1 595	1 812	116	150	109
Number of patrollers	328	297	258	616	467	472	46	138	58
Patrol man-days	9 585	8 463	10 563	8 772	6 151	7 052	228	919	294
Distance travelled (Km)	22 878	22 667	26 889	10 657	6 220	6 888	759	972	744

### 2.3 Border control measures and coastal surveillance

Since 2017, CFIM, the Regional Centre for Maritime Information Fusion (*Centre de Fusion et d'Information Maritime*), which comprises several institutions and countries of the Indian Ocean, monitors and controls the maritime space of that ocean, including Madagascar. Thanks to the coordination in the fight against illegal trafficking with the CFIM, whose objective is to enable the launch of an early warning if a potential or a proven risk is identified, any illegal export attempts observed are reported to the Ministry of the Environment and Sustainable Development.

The east coast of Madagascar is a sensitive area known to be at high risk for illegal rosewood trade. In the framework of the surveillance and fight against trafficking of rosewood and other precious woods, the CFIM performs continuous surveillance of the area between Antalaha and Mananara-Nord, defined as a high-risk area, to track the movements of vessels operating within the Exclusive Economic Zone of Madagascar in the proximity of this area through two satellite platforms with AIS receivers, namely “Exact Earth Shipview” and “Seavision” platforms. It regularly and daily monitors the maritime situation and maritime traffic in the high-risk area for rosewood trafficking, which involves detecting the presence of suspicious vessels with a Malagasy or foreign flag in the zone within 200 nautical miles from the east coast of Madagascar.

The CFIM also continuously tracks the movements of vessels susceptible of participating in the maritime transport of precious woods other than rosewood in sensitive and well-known areas for this trafficking, which generally operates between Morondava, Mahajanga and Nosy-Be. In most cases, these vessels are traditional wooden boats with no detection or AIS satellite devices, which makes them difficult to track.

After its pre-operational phase between 2016 and 2017, the CFIM has continued to strengthen its continuous surveillance of the area at high risk of illegal transshipment of rosewood and in other areas in the framework of the fight against trafficking of precious woods. This is done using the surveillance tools available at the centre and in cooperation with the bodies concerned, various institutions and government agencies as well as community networks – who actively participate in the exchange of information – in the 13 coastal regions.

Between July 2018 and July 2020, the CFIM has dealt with the following cases:

- attempted trafficking and transshipment of rosewood off the east coast with the involvement of the vessel “FLYING” from Singapore in direct transit off the north of the island of Sainte Marie on 24 October 2018.
- on 12 July 2019, the illegal sale of logs of precious woods was identified in Sainte Marie and reported to the CFIM. No sign or evidence was found connecting this to maritime transport. This case of illegal exploitation of precious woods (i.e., rosewood) was referred to the law enforcement agency in charge of public safety (*Commissariat de la Sécurité Publique*) of the island, which arrested three (3) individuals, who were all brought before the prosecutor’s office. It involved 2 logs of precious wood (12x10x10). The logs were seized by the *cantonnement forestier* (a part of the Forest Administration) of Sainte Marie and sequestered at the police station of Sainte Marie.
- on 28 September 2019, the regional office of Nosy-Be of the *Direction Régionale de l’Environnement and du Développement Durable* (Regional Directorate for Environment and Sustainable Development - DREDD) of DIANA Region seized three hundred seventy-seven (377) logs (152 palisander logs, 190 roundwood logs and 35 square beams) from Analalava district transported by dhow. At the end of the investigation conducted by the judicial police officers of the Ministry of the Environment and Sustainable Development of this area, two (2) women who were residents of Nosy-Be were placed under a detention order.

#### **The boarding of vessel ‘Flying’:**

On 24 October 2018, while conducting ongoing surveillance tasks in the high-risk area for rosewood trafficking, the CFIM detected an abnormal movement of vessel ‘FLYING’, which had left Singapore on 6 October 2018 and travelled directly to an area off the northern tip of the island of Sainte Marie, entering the territorial waters of Madagascar. This suspicious behaviour drew the attention of the CFIM, which alerted the Malagasy authorities in charge of maritime security and combating illegal trade in rosewood and started to closely monitor the movements of this vessel and to seek intelligence about it. In fact, the presence and erratic movements of the vessel ‘FLYING’ for several weeks off the east coast of Madagascar between Mananara Nord, Cap Masoala and Antalaha – considered to be a high risk area for trafficking of precious woods and very carefully monitored by the CFIM – only confirmed the suspicion. For two months, the CFIM tracked the movements of the vessel daily and informed the competent authorities continuously. Thanks to the data collected with maritime traffic monitoring equipment and from international vessel records, it was possible to determine the profile and specific characteristics of the ship and to obtain a history of its status and its movements.

On the basis of the information provided by the CFIM, the competent authorities organized two types of operations: 1) surveillance of land areas and the coastline, essentially coordinated by the Executive Secretariat in charge of reforming the rosewood sector (SE/COMINT) and the Ministry of the Environment, Ecology and Forests (currently the MEDD) in cooperation with the local authorities of the regions of Analanjirofo and Sava and civil society environmental protection organizations; and 2) maritime surveillance through the coordination of the Ministry of National Defence in cooperation with the General Directorate of Customs, the MEDD and Toamasina Autonomous Port. After 57 days of tracking and three maritime intervention operations, the vessel FLYING was

boarded near Antalaha on 19 December 2018 and diverted to Toamasina for the corresponding administrative and judicial procedures to take place.

The prosecutor's office in Toamasina took legal action for refusal to obey the orders of the management authorities and other violations and placed several crew members under a detention order. The Court of Appeal of Toamasina handed down a verdict implicating the crew of the vessel FLYING in November 2019. As a result, fifteen (15) crew members were placed under a detention order in Ambalatavoahangy Toamasina.

## **2.4 Additional measures**

### **2.4.1 Measures taken by the Ministry of the Environment and Sustainable Development (MEDD)**

#### **➤ Creation of an anti-corruption unit in the MEDD**

In its new structure following Decree 2020–206 of 26 February 2020 establishing the powers of the Ministry of the Environment and Sustainable Development and its general organization, the Ministry is coordinating the fight against corruption by establishing an Anti-Corruption Unit (*Unité de Lutte contre la Corruption*), which is a body attached to the Minister with the purpose of promoting good governance in the Ministry. It is also in charge of centralizing all the grievances received by the Ministry and ensuring the traceability and follow-up of all cases until they are effectively dealt with.

#### **➤ Use of social media to raise public awareness**

Since 2019, the Ministry of the Environment and Sustainable Development and its divisions have created social media accounts aimed at raising awareness and sharing information on cases of seizures and arrests in their jurisdiction.

For 2020, the theme of World Environment Day was biodiversity. The Ministry of the Environment and Sustainable Development created an outreach campaign on the importance of our natural resources, raising awareness among the population to stop hunting wildlife and the importance of biodiversity.

### **2.4.2 Capacity building in the fight against corruption**

Awareness-raising and capacity-building efforts aimed at judges and law enforcement authorities have also been made to improve judicial treatment of cases. Actions are being undertaken at their respective levels by the various ministries involved in the fight against this scourge (i.e., Environment, Justice, Finance/Customs, Gendarmerie, Public Health) and by civil society organizations such as the Durrell Wildlife Conservation Trust (DWCT), the Turtle Survival Alliance (TSA), WWF, TRAFFIC, Alliance Voahary Gasy (AVG) and the WCS.

Capacity building in the fight against environmental crime for judges of the *Pôle anti-corruption* (Anti-Corruption Division) of Antananarivo, the *Pôle anti-corruption* of Mahajanga and the Court of Cassation of the Supreme Court of Madagascar was organized by the *Ecole Nationale de la Magistrature et des Greffes* (National School of the Judiciary and Court Officers). The aim was to strengthen the campaign for Zero Tolerance of environmental crime promoted by the Ministry of the Environment and Sustainable Development. The objective is to remind judges of their missions, the various infringements, the procedures and aspects of enforcement regarding environmental protection, nature conservation referring to international conventions and national legislation in force considering the Sustainable Development Goals (SDGs).

There is close collaboration between the Ministry of the Environment and Sustainable Development and the Ministry of Justice to ensure that individuals found guilty of illegal logging or trade of precious woods remain in prison.

As regards the Ministry of Justice, as a member of the Anti-Corruption System in Madagascar, the *Pôle Anti-Corruption* plays a major role in the fight against corruption by prosecuting corruption and similar infringements, laundering of the proceeds of crime, financing of terrorism and complex and serious economic and financial violations. For example, in August 2021 a capacity building session for judges of the *Pôle Anti-Corruption* of Mahajanga, the *Pôle Anti-Corruption* of Antananarivo and the Court of Cassation of the Supreme Court of Madagascar was organized by the *Ecole Nationale de la Magistrature et des Greffes* (National School of the Judiciary and Court Officers). The aim was to strengthen the campaign for Zero Tolerance of environmental crime promoted by the Ministry of the Environment and Sustainable Development regarding environmental crime and illegal wildlife trade. The objective of the activity is to have an independent and effective specialized legal authority by promoting and strengthening the professional integrity of the officials of the judiciary.

In October 2021, the Ministry of the Environment and Sustainable Development participated in the international symposium entitled *Justice administrative et environnementale: thématique justice climatique en Afrique* (Administrative and environmental justice: climatic justice in Africa). This is a multi-stakeholder dialogue aimed at developing solutions for a socio-ecological transformation in which administrative judges have a key role to play in the framework of the fight against climate change. Discussions focused on the “key issues of environmental justice” and “international legal instruments”. International conventions and treaties are aimed at managing global, regional, national and local situations, hence the legitimacy of the interventions of UN bodies, donors and NGOs that sometimes raise questions about national sovereignty.

## 2.5 Strengthening the fight against wildlife crime – UNODC

Following the validation of the report produced by UNODC, a project to conduct a national workshop on the identification of the ICCWC Indicator Framework is under way. It will allow for a more rapid assessment of the national law enforcement response to wildlife crime with the involvement of all the stakeholders concerned. Due to the spread of the COVID-19 pandemic, the workshop has been delayed to a later date (not defined yet) depending on how the situation evolves.

## 2.6 Operationalization of the Special Court to combat illegal trade of rosewood and ebony

Current status: the Special Court is operational

Regarding the cases being dealt with by the Special Court to combat illegal trade of rosewood and ebony:

Since 13 July 2018, when the Court was created, nineteen (19) cases have been referred to it.

*Table 5: Statistics on the cases dealt with by the prosecutor’s office of the Special Court*

Year	Cases pending	Cases received	Cases to process	Cases processed	Decision	No. of individuals charged		
							Remained in custody	Bail
2018	00	05	05	05	RI/JI	51		
2019	00	09	09	09	RI/JI	60		5
2020	00	01	01	01	RI/JI	10		
2021	00	04	04	04	RI/JI	34	6	25
<b>TOTAL</b>	<b>00</b>	<b>19</b>	<b>19</b>	<b>19</b>		<b>155</b>	<b>6</b>	<b>30</b>

### 2.6.1 The case of Singapore

#### Status of the wood held in Singapore

At the moment, following a final decision handed down by the High Court of Singapore on 8 April 2019, the Singapore authorities are getting ready to deliver the rosewood logs to the importer. However, this is subject to certain preconditions. Specifically, the importer must provide to the National Parks Board in due time (i.e., within 14 days for CITES Singapore) after removal of the goods the information on the shipments of rosewood whose departure from Singapore is planned and their final destination: export documents, destination, bills of lading, necessary information to identify the wood, etc.

Based on the communications exchanged with the authorities of Singapore in January 2020, no documents regarding the export of the shipments have been received by the National Parks Board yet.

At the Council of Ministers held on 12 May 2021, the State of Madagascar reconfirmed the illegality of the export of precious woods to Singapore. Madagascar wishes to take action to have the wood returned to the country.

## 2.7 Regional and international cooperation in the fight against trafficking of natural resources

Adoption and operationalization of the SADC-TWIX system (i.e., Trade in Wildlife Information Exchange):

TWIX is a platform for information exchange on illegal wildlife trade in the SADC region. It is an Internet tool to assist SADC countries in the fight against wildlife trade crime. In total, 460 representatives of the 12 SADC member countries are connected to the system. This includes 70 Malagasy citizens appointed by various institutions such as the *Direction Générale de l'Environnement et des Forêts*, (General Directorate for Environment and Forests), Customs, the Border Police, the Gendarmerie, the Independent Anti-Corruption Bureau, the *Pôle Anti Corruption* (Anti-Corruption Division), the Ministry of Justice and the *Centre de Surveillance des Pêches* (Fisheries Monitoring Centre).

2019: Madagascar participated in the regional workshop on the launch of SADC-TWIX in Johannesburg, South Africa. It was represented by 8 participants from sectors involved in the fight against illegal wildlife trade, including 2 from the Ministry of the Environment and Sustainable Development, 1 from the Air and Border Police, 1 from the *Centre de Surveillance des Pêches*, 1 from BIANCO, 1 from the Gendarmerie, 1 from the Ministry of Justice and 1 from Customs.

The following activities are under way:

- Creation of the database of infringements in the SADC region
- Update of the users of SADC-TWIX at the national level (i.e., regional and central)
- Sharing of experiences and information using the mailing list for the SADC-TWIX region (e.g., reporting of seizures of protected species; documentation, drafting)

**Paragraph f) - subject to available funding, secure the stockpiles (including undeclared and hidden stocks) of timber of *Dalbergia* and *Diospyros* in Madagascar, and submit regular updates on audited inventories thereof [to the Standing Committee];**

### MANAGEMENT OF STOCKPILES OF PRECIOUS WOODS

#### 1. Stockpiles of precious woods in Madagascar

At its 70th meeting (Sochi, Russian Federation, 1-5 October 2018), the Standing Committee reviewed the document "Stockpile Verification Mechanism and Business Plan" submitted by Madagascar.

The Standing Committee made the following recommendations:

Regarding the Stockpile Verification Mechanism and Business Plan and in order to ensure transparency and independent and effective oversight, it recommended that Madagascar:

- i) consider the function of an independent observer, funded from external sources;
- ii) strengthen the oversight mechanism for both the financing of the plan and the allocation of revenues; and
- iii) establish a monitoring system to assess possible impacts of any sales on illegal logging and timber trafficking, with the support of relevant partners.

Regarding Phase 1, the Standing Committee recommended that:

- i) For Steps 1 and 2: Madagascar is encouraged to implement the inventory and secure the funding required with the support of external donors; and
- ii) For Steps 3 and 4: Madagascar, in consultation with relevant stakeholders, should explore alternatives to the current proposed compensation schemes to take official control of the wood, in compliance with national legislation and relevant legal procedures in place, and ensure that there will be no financial benefit to those involved in illegal activity. The relevant sections of the use plan should be amended accordingly.

At the end of the 70th meeting of the Standing Committee, Madagascar requested the support of the International Tropical Timber Organization (ITTO) to review the document, undertake the steps accepted by the Standing Committee and the preparation of the update of the other points not validated yet, including the use plan based on transparency and independent control mechanisms. The intention is to prove Madagascar's will to make progress but particularly to obtain the support of stakeholders concerned by the case of Madagascar.

The goal is to resolve the current problem of the management of precious woods and make good progress towards sustainable management of these species and sustainable forestry.

This ITTO project has two objectives:

- 1) To conduct a pilot inventory in order to reverify the stockpiles, and ensure their traceability (with the establishment of a timber marking technology and database) and their security. This inventory will be preceded by the review of the methodology, which will be validated by the Government;

The inventory will make it possible to estimate the total cost of the inventory of the stockpiles and thus to request greater assistance from CITES and relevant donors in order to make progress.

- 2) To update the document on the use plan considering the Government's decision on the use of these stockpiles. Priority would be given to the option of using them at a national level, for example, by artisans, for hotels, works of art or others.

The implementation of this project was delayed due to a difficulty related to the transfer of the funds. However, this problem has been solved and the project is being prepared for implementation in 2022.

Regarding Decision 18.98, an Intersessional Advisory Group (IAG) of Parties has been established to assist and advise Madagascar on the implementation of all measures regarding *Dalbergia* spp. and *Diospyros* spp. The group has been active since 2020 and three online meetings have been organized. At the 2nd meeting, Madagascar presented to the members of the IAG the Government's policy on the future use of 'officially controlled' stockpiles and the 'uncontrolled declared wood' stockpiles. Following the recommendations made by SC70, Madagascar decided to focus its efforts first on Step 1 of Phase 1 of the Business Plan, which involves inventorying and marking the 'officially controlled' stockpiles to prepare their use. Once this step has been completed, Madagascar will draw the necessary conclusions to adapt it to the implementation of Step 2 of Phase 1, which refers to the management of the 'uncontrolled declared wood' stockpiles.

For this reason, Madagascar developed a road map in order to present a simplified work plan to implement Step 1 of Phase 1 of the Business Plan, with a view to use the 'officially controlled' stockpiles, also known as 'stockpiles of seized wood' in the future (on a domestic and international level).

The road map is aimed at organizing and prioritizing the implementation of the recommendations of the Standing Committee and the decisions of the Conference of the Parties in order to apply them pragmatically and in stages.

The Government de Madagascar hopes that this road map will be used as a reference document for the management of stockpiles seized in Madagascar.

### **Potential use of the wood stockpiles**

The Government de Madagascar decides:

- to release the stockpiles of precious wood (i.e., officially seized stockpiles) for domestic use as a first step, depending on the ability to absorb the stockpiles on a domestic level
- to allocate the revenues of the sale of seized wood to forest restoration initiatives (including the reforestation and restoration of landscapes and forests in general)

Table 6: Summary of the stockpiles of palisander, rosewood and ebony

STOCKPILES	ESTIMATED VOLUME	UPCOMING ACTIVITIES
'Officially controlled' stockpiles or 'stockpiles of seized wood' comprising rosewood and ebony (included in the Business Plan)	3200 m3	Inventorying and marking under the ITTO Project
Stockpiles of seized palisander (not included in the Business Plan)	1606 m3	Inventorying and marking under the ITTO Project
Finished palisander products		Export in accordance with Notification 2018/007 of 15 January 2018
'Uncontrolled declared wood' stockpiles		Discuss the management of these stockpiles after inventorying and marking the 'officially controlled' stockpiles of rosewood and ebony and the stockpiles of seized palisander

**'Officially controlled' stockpiles**, also known as **'stockpiles of seized wood'**, are comprised of rosewood and ebony seized by the forest authorities as a result of controls of timber operations or illegal exports before 2015. These stockpiles were inventoried and marked by the Government in 2015 (through a barcode system) and remain under its control in several regions of the country. They comprise around 28,666 logs, that is, 3,200 m<sup>3</sup>, which are equivalent to about 188 containers.

In addition, Madagascar wishes to bring to the attention of the Standing Committee the existence of several stockpiles of seized palisander. These stockpiles represent an approximate volume of 1606 m<sup>3</sup> according to the databases of the Regional Directorates of the Ministry of the Environment and Sustainable Development and are controlled by the Government. They result from infringements detected since 2005, after the genus *Dalbergia* spp. was listed in CITES in 2017 (COP17) with annotation #15. These palisander stockpiles were not included or mentioned earlier in the Business Plan, given that the preceding infringements and managed stockpiles specifically concerned rosewood and ebony.

## 2. Stockpiles seized outside Madagascar: information request to countries having seized rosewood from Madagascar

In 2017, the Malagasy CITES Management Authority sent letters to its counterparts in the transit and destination countries of *Diospyros* spp. and *Dalbergia* spp. from Madagascar asking them for information and cooperation regarding this seized wood. These territories are China, Tanzania, Zanzibar, Singapore, Sri Lanka, Mozambique and Hong Kong.

In accordance with Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, Madagascar is planning to contact these countries to jointly discuss the following issues:

- The identification of these stockpiles
- What will happen with these stockpiles given that they were illegally exported. They belong to Madagascar.

Decisions: Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) (CoP18)

18.94	<i>Directed to source, transit and destination Parties for Malagasy Dalbergia spp. and Diospyros spp.</i>	<p>Source, transit and destination Parties for specimens of species of the genera <i>Dalbergia</i> and <i>Diospyros</i> occurring in Madagascar are urged to:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) effectively manage timber stockpiles of <i>Dalbergia</i> spp. and <i>Diospyros</i> spp. from Madagascar; and</li> <li>c) provide written reports describing progress made with implementation of paragraphs a) and b) of this Decision to the 73rd and 74th meetings of the Standing Committee.</li> </ul>
18.95	<i>Directed to Parties and other relevant partners</i>	<p>Parties and relevant partners, such as the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization of the United Nations (FAO), the International Consortium on Combating Wildlife Crime (ICWC) and other intergovernmental and non-governmental organizations, are invited to:</p> <ul style="list-style-type: none"> <li>a) enforce all measures that are recommended by the CITES Standing Committee concerning commercial trade in specimens of Malagasy <i>Dalbergia</i> spp. and <i>Diospyros</i> spp. from Madagascar;</li> <li>b) collaborate with Madagascar in the implementation of the agreed parts of the use plan to manage stockpiles of timber of these species from Madagascar; and</li> <li>c) provide technical and financial assistance to support the implementation of Decision 18.96.</li> </ul>
18.96	<i>Directed to Madagascar</i>	<p>Madagascar shall:</p> <ul style="list-style-type: none"> <li>a) continue to identify the main commercially valuable species in the genera <i>Dalbergia</i> and <i>Diospyros</i> 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;</li> <li>b) continue to make progress in the development of non-detriment findings for commercially valuable species in the genera <i>Dalbergia</i> and <i>Diospyros</i>, including implementation of appropriate monitoring mechanisms;</li> <li>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;</li> <li>d) continue the production of identification materials for timber and timber products from species of the genera <i>Dalbergia</i> and <i>Diospyros</i> from Madagascar;</li> <li>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, regardless of the title and level of responsibility of the offenders;</li> <li>f) subject to available funding, secure the stockpiles (including undeclared and hidden stocks) of timber of <i>Dalbergia</i> and <i>Diospyros</i> in Madagascar, and submit regular updates on</li> </ul>

		<p>audited inventories thereof, and a use plan based on transparency and independent oversight mechanisms, for consideration, approval and further guidance from the Standing Committee;</p> <p>g) share with the Secretariat a proposed budget, to seek assistance from Parties and technical and financial partners for the implementation of this Decision; and</p> <p>h) provide reports on progress with the implementation of Decision 18.96 to the 25th and 26th meetings of the Plants Committee and the 73rd and 74th meetings of the Standing Committee;</p>
18.97	<i>Directed to the Plants Committee</i>	<p>The Plants Committee shall, at its 25th and 26th meetings:</p> <p>a) review reports from Madagascar and the Secretariat as appropriate on the implementation of Decision 18.96, and provide recommendations to the Standing Committee and the Secretariat; and</p> <p>b) provide assistance to Madagascar with the implementation of Decision 18.96.</p>
18.98	<i>Directed to the Standing Committee</i>	<p>The Standing Committee shall, at its 73rd and 74th meetings:</p> <p>a) review reports from Madagascar and the Secretariat on the implementation of Decisions 18.96 and 18.97, and make recommendations to Madagascar, relevant Parties and the Secretariat as appropriate, and take measures in accordance with Resolution Conf. 14.3 (Rev. CoP18) on <i>CITES compliance procedures</i> if Madagascar fails to satisfactorily implement the actions directed to it in Decision 18.96;</p> <p>b) consider establishing a small intersessional advisory group of Parties to assist and advise Madagascar on the implementation of all measures regarding <i>Dalbergia</i> spp and <i>Diospyros</i> spp.</p>



Le Ministre



**NOTE - INSTRUCTION**

N° 003 -21/MEDD

En exécution de la note de conseil en date du 21 octobre 2020 et jusqu'à nouvel ordre :

- Sont frappés d'interdiction de coupe, d'exploitation, de transport et d'exportation, les bois précieux ou bois de grande valeur dont les bois de rose, les bois d'ébènes et les palissandres ;
- Sont frappés d'interdiction la coupe, l'exploitation, le transport et l'exportation les bois ordinaires ou bois de moyenne valeurs issues des forêts naturelles de l'Etat et des personnes privées ;
- Sont frappés d'interdiction d'exportation les espèces de faune et de flore de Madagascar en annexe I de la CITES.

Par ailleurs, ne sont pas frappés par les interdictions prévues ci-dessus :

- L'exportation des espèces de faune et de flore de Madagascar en annexe II de la CITES qui ne sont pas frappées de quotas zéro et les produits finis de palissandre de moins de 10 kg par envoi ;
- La collecte et l'exportation des produits forestiers non ligneux non-inscrits dans les annexes de la CITES ;
- La coupe, l'exploitation, le transport et l'exportation des bois ordinaires ou de moyenne valeur issue des forêts artificielles de l'Etat et des personnes privées ;
- Les stocks de bois ordinaires ou de moyenne valeur ayant obtenu des permis d'exploiter légaux avant le 29 janvier 2019.

Ainsi, la délivrance des permis/autorisation d'exploiter, des autorisations de mise en circulation et des autorisations/agrèments d'exportation, en relation avec les cas d'exclusion suscités, est autorisée. Spécifiquement pour le bois énergie, les permis/autorisation d'exploiter sont établis en fonction de la situation juridique, de la nature et de l'état du peuplement boisé.

La présente note prend effet dès sa signature.

Les dispositions non contraires prévues par la Note-Instruction n°01/MEDD/Mi du 29/01/19 et de la note explicative n°114/19/MEDD/SG du 19 février 2019 restent et demeurent en vigueur.

Fait à Antananarivo le, **29 JAN 2021**



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

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**Draft terms of reference of the  
Intersessional advisory group on Malagasy palisanders and rosewoods (*Dalbergia* spp.)  
and ebonies (*Diospyros* spp.)**

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### 1. Mandate

In accordance with Decision 18.98, paragraph b), the CITES Standing Committee established at its 72nd meeting (Geneva, Switzerland, 28 August 2019) an intersessional advisory group (IAG) on Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) with a mandate to assist and advise Madagascar on the implementation of all measures regarding *Dalbergia* spp. and *Diospyros* spp. taken in the framework of CITES.

### 2. Composition

The intersessional advisory group is composed of the following members:

**Chair:** Madagascar

**Members:**

Africa: Kenya

Asia: Nepal, Thailand

Central and South America and the Caribbean: Nicaragua

Europe: European Union, Ireland

North America: United States of America

The contact details of each member are listed in Annex 1.

### 3. Objectives

The IAG will provide advice, assistance and ideas in order to identify the practical approaches adapted to the context of Madagascar that enable implementation within the established timeframes of the measures regarding *Dalbergia* spp. and *Diospyros* spp. recommended by the Standing Committee and adopted by the Conference of the Parties (Annex 2).

The IAG will particularly focus its work and discussions on the practical aspects of the implementation of Decisions 18.95 and 18.96.

Objective 1: Produce a status report of the projects currently underway in Madagascar on *Dalbergia* spp. and *Diospyros* spp. and coordinate these actions with those required by Decision 18.96.

Objective 2: Prioritize the actions required by Decision 18.96 that should be implemented in the short and medium term between each two meetings of the Standing Committee.

Objective 3: Adapt the use plan to manage stockpiles of *Dalbergia* spp. and *Diospyros* spp. as presented at the 70th meeting of the Standing Committee (Sochi, Russian Federation, 1-5 October 2018) to ensure relevant and effective implementation.

The IAG will also contribute to create a better interface between scientific and political aspects for the implementation of Decisions 18.94 to 18.99, in order to overcome the challenges and obstacles to the implementation of the use plan and support the decision-making process. Through its recommendations, the IAG will provide technical support to the work of Madagascar bringing together the areas of science, stockpile management and the decision-making process regarding *Dalbergia* spp. and *Diospyros* spp.

#### **4. Working languages**

The working languages of the IAG are French and English. Members will be able to use French or English to communicate by email. In meetings, however, French will have priority.

#### **5. Mode of operation**

Before starting the work, the CITES Management Authorities of each member country of the IAG (Annex 1) are invited by the group Chair to designate a member and an alternate who will be in charge of following the discussions in the IAG. The name, position and email address of the member and alternate should be sent by email to the Chair of the IAG as soon as possible.

Members and alternates can be officials of the CITES Management Authority or the Scientific Authority of the country or other individuals working in these institutions, or national experts who are identified and acknowledged as having expertise in *Dalbergia* spp. and *Diospyros* spp.

After each member country of the IAG has designated a member and an alternate, the Chair of the IAG will share with the members a status report of the projects underway in Madagascar regarding *Dalbergia* spp. and *Diospyros* spp., as well as the date and other aspects of the first meeting of the IAG.

The work of the IAG falls under the authority of the CITES Standing Committee. The IAG will conduct its work essentially by electronic means through virtual meetings, with the technical support of the CITES Secretariat. No physical meetings are foreseen, except on the margins of other meetings planned in the framework of CITES.

The IAG Chair, with the technical support of the CITES Secretariat, will ensure communication between the members of the IAG throughout the discussions.

After the 74th meeting of the CITES Standing Committee, the details of any possible field visits of the IAG will be decided on the basis of the recommendations made, the availability of financial resources, and the lessons learnt from the first working cycle.

The members of the IAG will contribute as representatives of their country and will not receive any payment for their contributions or input to the work of the group.

#### **6. Records of meetings and submission of reports**

After each virtual meeting of the IAG, a report of the meeting drafted by the Chair will be sent to the members of the group.

On the basis on the virtual meetings of the IAG, the Chair will submit progress reports on the implementation of Decision 18.96 to the 25th and 26th meetings of the CITES Plants Committee and the 73th and 74th meetings of the Standing Committee.

Original language: English

SC73 Doc. XX

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

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Seventy-third meeting of the Standing Committee  
Geneva, Switzerland, 5 – 9 October 2020

Species specific matters

Malagasy palisanders and rosewoods (*Dalbergia* spp.)

and ebonies (*Diospyros* spp.)

**INTERSESSIONAL ADVISORY GROUP ON MALAGASY PALISANDERS AND ROSEWOODS (*Dalbergia*  
*spp.*) AND EBONIES (*Diospyros* spp.)**

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**SUMMARY REPORT**

**1<sup>st</sup> meeting (online, WebEx) - Wednesday 15 July 2020**

**Participants:** Madagascar (Chair), European Union, Ireland, Morocco, Nicaragua, Thailand, United States of America, CITES Secretariat

**Objectives:** Discussions on the implementation of the scientific aspects of Decision 18.96 (paragraphs a, b, c, d).

**1. Information on the implementation of the scientific aspects of Decision 18.96**

Madagascar shared information on ongoing projects implementing the scientific aspects of Decision 18.96 a) to d), mainly funded by the UE, Franklinia Foundation, USAID and FAO and on progress made since CoP18 (see the attached PowerPoint presentation).

Madagascar is encountering some difficulties in the implementation of certain aspects of Decision 18.96:

- The import of laboratory reagents is very slow (sometimes 8 months): there is a need for collaboration with supplier countries.
- The cost of inventorying 27 species of *Dalbergia* and 69 species of *Diospyros* is high: funds are needed to carry out forest inventories to make NDFs.
- A large number of tree species have been published for these two genera, requiring significant resources for the implementation of the business Plan.

To overcome these obstacles, Madagascar proposes to carry out a study to define 3 or 4 priority species among the 27 *Dalbergia* species and 69 *Diospyros* species, for which the plan will be implemented in terms of identification, NDF, export quota, control and tractability, legal trade, conservation, forestry.

To so identify the priority species, Madagascar proposes to focus on three components such as 'market preference', 'availability in forest outside protected area' and the 'possibility of control and domestication'. Regarding NDF and identification of the species, Madagascar notes the importance to make NDF at the species level and for species which can be identified in trade.

In the near future, Madagascar also wishes to identify the species of seized wood specimens. However, specific court authorization is required to access these specimens and obtain samples, making this process difficult. With regard to the case of the seizure in Singapore, Madagascar has not obtained information regarding the identification of the species of the seized specimens.

## 2. Discussion

- In response to a question by a member of the group, Madagascar recalled that the cutting and export of *Dalbergia* and *Diospyros* species are prohibited since 2013.

- In response to queries, Madagascar noted that it is currently working with international experts in taxonomy from Missouri (Botanical Garden) and Switzerland. In particular, Madagascar is collaborating with Mr. John Hermanson (formerly US Forest Service Forest Products Lab, University of Washington (Seattle) Center for International Trade in Forest Products (CINTRAFOR) working on XyloTron technology [www.xylotron.org](http://www.xylotron.org)) and Mr. Miceal Wiemann on data collection and the creation of a species identification manual based on the anatomical character of wood at the macroscopic level.

Within the framework of the Precious Wood Consortium of Madagascar, Madagascar also collaborates with the International Association of Wood Anatomists (or IAWA).

Most of the *Dalbergia* species that Madagascar has sampled are already on the [insidewood website](#) (macroscopic part).

Madagascar has obtained funding until 2022 for activities related to the maintenance of sample collections and laboratories. A wood storage facility has been funded by PEER. However, Madagascar is seeking funds to continue these activities beyond 2022.

- The collected samples belong to the Malagasy State. An administrative procedure must be followed to access to these samples. Rules on access and benefit-sharing related to genetic resources are applicable in Madagascar and must be respected in providing access for international experts to the samples collected.

Madagascar will circulate a document to members on access to samples before the next meeting.

- Madagascar has made progress on the NDF on two species: *Dalbergia lemurica* et *Dalbergia surmerenses*. At the time, Madagascar did not have a methodology to carry out the forest inventory in order to make NDF. The choice of these species was therefore limited to the availability of resources to carry out these inventories and made in relation to their restricted distribution. The 3 components presented before (market preference, availability in forest outside protected area) were not yet taken into account.

The Secretariat confirmed the importance to continue making progress on species-specific NDFs, in line with the guidance of Resolution Conf. 16.7 (Rev. CoP17).

## 3. Next steps

**Scientific aspects of Decision 18.96:** Madagascar will work on a protocol to define the criteria for selecting the priority species as mentioned in point 1) of this document.

**Next meeting:** The Management Authority of Madagascar is expected to meet with the Minister of the Environment this month. Depending on this outcome, Madagascar would like to organize the next meeting before the end of July 2020, on the governance and implementation aspects of Decision 18.96.

**INTERSESSIONAL ADVISORY GROUP ON MALAGASY PALISANDERS AND ROSEWOODS (*Dalbergia* spp.) AND EBONIES (*Diospyros* spp.)**

**Report of the second meeting of the intersessional advisory group**

**Thursday 8 October 2020**

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**Participants:** Madagascar (Chair), Ireland, Kenya, Morocco, Thailand, United States of America, European Union, CITES Secretariat (Annex 1).

**Objectives:** Discussions on the implementation of the governance aspects of Decision 18.96 (paragraphs e, f, g, h).

After a brief introduction by Ms. Ivonne Higuero, CITES Secretary General, and the introduction of participants, Ms. RAHARINIRINA Baomiavotse Vahinala, Minister of the Environment and Sustainable Development, presented Madagascar's position on the governance aspects of Decision 18.96 as follows:

**1. Information on the implementation of the governance aspects of Decision 18.96**

*Decision 18.96 e) for those species identified under paragraph a), [Madagascar] strengthen control and enforcement measures against illegal logging and export at the national level, including seizures, investigations, arrests, prosecutions, and sanctions, regardless of the title and level of responsibility of the offenders;*

- The Minister recalled the will of the Government of Madagascar to restructure the precious wood industry. In accordance with the current policy, there have not been any legal exports of precious woods from Madagascar since January 2019 (as per the instruction given on 29 January 2019: a ban on any logging, exploitation, movement or export of Malagasy ebonies, palisanders and rosewoods, Annex 2). The 'zero tolerance' policy is upheld; the control and surveillance measures at the border and in protected areas have been strengthened (in particular via the SMART system and through satellite surveillance at sea by CFIM, the Centre for Maritime Information Fusion). There is close collaboration with the Ministry of Justice to ensure that individuals found guilty of illegal logging or trade of precious woods remain in prison.

*Decision 18.96 f) subject to available funding, [Madagascar] secure the stockpiles (including undeclared and hidden stocks) of timber of Dalbergia and Diospyros in Madagascar, and submit regular updates on audited inventories thereof, and a use plan based on transparency and independent oversight mechanisms, for consideration, approval and further guidance from the Standing Committee;*

- **Current status of the stockpiles of rosewoods and ebonies** (Source: National catalogue of the Direction Générale des Forêts CoP18 Doc. 30.1. Annex 3). As a reminder, the document 'Stockpile Verification Mechanism and Business Plan' distinguishes between two different types of timber stockpiles, specifically:
  - o An '**officially controlled**' stockpile of rosewood and ebony, also known as '**stockpile of seized wood**': this stockpile is held by the State through the Ministry of Justice. It was verified and marked by the Government in 2015 and remains under the control of the public administration in several locations of the country. It comprises around 28,666 logs (that is, approximately 3,200 m<sup>3</sup>, which are equivalent to about 188 containers). In response to a question by a member of the advisory group, the Minister confirmed that all the legal procedures related to this stockpile were completed and that it could be appropriate to refer to it as 'officially controlled stockpile' or '**stockpile of confiscated wood**'.
  - o A stockpile of palisanders, rosewoods and ebonies known as '**declared but uncontrolled timber**': this stockpile is based on the declarations made by private owners under Ordinance 2011-001 of 8 August 2011, which required all the owners of these timber species to declare them to the Government within 30 days from the publication of the ordinance. The Government does not have control over this stockpile and therefore does not own it. According to the declarations made in 2011, the stockpile of palisander and rosewood amounts to 294,936 logs + 6 containers + 138,935 planks + 4 containers. The stockpile of ebony amounts to 6,717 logs + 450,409 planks + 1,774 kg.

- **Potential use of the timber stockpiles:**

- **‘Officially controlled’** stockpile of palisander, rosewood and ebony / **‘stockpile of seized wood’**: The Minister explained that the Malagasy Government wishes to release this stockpile as soon as possible for domestic use as a first step. Depending on the ability to absorb the stockpile on a domestic level, part of this stockpile could possibly be the subject of international trade and thus be exported, adhering to legal and international conditions.

Domestic use of the ‘officially controlled stockpile’ / ‘stockpile of seized wood’ could contribute to the construction of infrastructures or the restoration of public buildings (e.g., (museums, material for schools) and for craft manufacturing. This use is part of a sustainable value chain of wood. It should be noted that the processing of logs into finished products would be done by the domestic sectors (i.e., artisans, carpenters, sculptors, woodworkers) with the aim of supporting these sectors, which have suffered from the wood crisis for several years now.

The first phase of the domestic use of the ‘officially controlled stockpile’ / ‘stockpile of seized wood’ would be to implement a pilot project funded by the ITTO and the World Bank. This project was signed in June 2019 and is aimed at implementing Recommendation c) i. of the Standing Committee (SC70) by using an adapted traceability technology (e.g., StarMark).

Recommendation c) i. of the Standing Committee (SC70) (Annex 3)

*c) Regarding Phase 1, the Standing Committee recommended that:*

- i) For Steps 1 and 2: Madagascar is encouraged to implement the inventory and secure the funding required with the support of external*

The pilot project will make it possible to test a timber marking technology and thus detect any attempt of illegal trade. However, a difficulty related to the transfer of the funds of the pilot project has delayed its implementation. It should be noted that the funding provided for this project is insufficient for the full implementation of Standing Committee Recommendation c) i.

It was recalled that the release and use of this stockpile are urgent because wood significantly deteriorates with the passage of time.

- **‘Declared but uncontrolled’** stockpile of palisanders, rosewoods and ebonies: there is a real potential to export this stockpile provided that national and international regulations allow it.

## 2. Discussions

- Madagascar notes that the members of the advisory group are waiting for a written proposal regarding the use of stockpiles, particularly the ‘officially controlled stockpile’ / ‘stockpile of seized wood’ (i.e., timeline of activities, periods) and that it is important for this use not to create an incentive for further logging. Importantly, the use of the stockpile is only relevant in the framework of CITES if Madagascar intends to export it internationally.
- Madagascar has also observed divergences between the positions of certain member States of the advisory group in the field and the positions expressed in CITES and asks for political consistency in this regard.
- Processing of timber and export of finished products: Madagascar points out that the wood will be processed by local artisans. Part of these processed products could be aimed at tourists. It should be noted that finished products of *Dalbergia* spp. of less than 10 kg per shipment are not subject to CITES regulations as per annotation 15 (*Dalbergia* spp. #15).
- Independent trust fund: Madagascar notes the intervention by one of the members of the advisory group, who recalled Recommendation d) of the Standing Committee (SC70) about the creation of an independent trust fund that would make it possible to allocate the revenues of the sale of the timber stockpile to conservation measures. Madagascar has the intention of allocating the revenues of the sale of timber to conservation initiatives (including the reforestation and restoration of 4 million

hectares of forests by 2030) and the Government also has the intention of creating a 'Forest Fund' in order to finance the implementation of a sustainable wood industry.

- Timber seized in other countries: Madagascar notes the concerns of the members of the advisory group regarding the recovery of timber seized in other countries and agrees that this remains a bilateral issue.

### **3. Next stages**

- Madagascar will do its utmost to ensure the launch of the marking system, that is, the implementation of the pilot project funded by the ITTO (potentially organizing a meeting with the ITTO and the CITES Secretariat in order to solve the issue of the blocked funds).
- Madagascar will prepare a short road map for the use of the stockpiles (focusing on the 'officially controlled stockpile' / 'stockpile of seized wood') in which it will clearly describe Madagascar's policy and related activity plan, which will make it possible to ensure a clear position of the members of the advisory group.
- Madagascar will call a new meeting of the members of the advisory group before the end of 2020 on the basis of the progress made in the previous two points.

## Ministère de l'Environnement et du Développement Durable (MEDD)

### Attributions du MEDD

Sur la base des principes et des dispositions de la Charte de l'Environnement Malagasy actualisée et des Conventions Internationales relatives à la protection de l'Environnement ratifiées par Madagascar, le Ministère de l'Environnement, et du Développement Durable (MEDD) est chargé de la conception, de la coordination, de la mise en œuvre et du suivi-évaluation de la politique de l'Etat en matière d'environnement, des ressources forestières et du développement durable. Le MEDD s'assigne comme mission « Sauvegarde et valorisation de notre environnement et des ressources naturelles uniques pour le bien-être de la population Malagasy et le développement durable du pays ».

L'accomplissement de sa mission est orienté vers la mise en œuvre effective des différentes Conventions Internationales (Convention sur le Changement Climatique- CCNUCC, Convention sur la lutte contre la Désertification-CCNULD, Convention sur la Diversité Biologique -CDB, AIBT, Protocole de Nagoya, Protocole de Cartagena sur la biosécurité, Convention de Minamata, Convention de Bâle, Convention de Stockholm, Convention de Rotterdam, Convention de Nairobi, Convention de Vienne, Convention CITES, Convention de RAMSAR, Convention de Bonn sur les espèces migratrices...), Accord de Paris ) ratifiées par Madagascar en assurant la synergie avec les orientations de la Politique Générale de l'Etat (PGE).

### Enjeux et problématiques actuels

Le secteur Environnement est en charge de la gestion durable des ressources naturelles et de l'environnement physique pour le bien-être économique et socio-culturel de la population. Suivant le principe du Développement Durable « ne laisser personne de côté », le Ministère a le devoir d'adresser les différentes problématiques liées à ces cibles d'intervention afin de contribuer à l'émergence du pays :

- ***Biodiversité riche mais menacées par une perte d'habitat due à la déforestation et les exploitations illicites.***

Pour Madagascar, il y a une corrélation forte entre la réduction de la pauvreté et la protection de l'Environnement. Une grande partie de la population Malagasy demeure dépendante des ressources naturelles. En outre, la totalité de la population riveraine de ces ressources est analphabète et ne connaît pas les valeurs de la biodiversité et des écosystèmes naturels. En ce sens, la dégradation Environnementale a des impacts sur les secteurs productifs (agriculture, pêche, élevage, tourisme), sur la scolarité et sur la santé humaine...

Les formes d'usages actuelles constituent des problématiques en matière de gestion durable du capital naturel. En effet, le souci d'accroître la production pour nourrir une population de plus en plus nombreuse pousse les agriculteurs malgaches à des successions de cultures de plus en plus fréquentes et à exploiter de nouveaux terrains. Avec le système d'élevage actuel, en moyenne 435.000 ha de savanes sont brûlées tous les ans. Le phénomène est aggravé par le système de gestion des couverts pastoraux de type traditionnel pour le pâturage du bétail.

- ***Réchauffement de la planète ayant des incidences fortes sur les ressources naturelles et sur les activités de la population.***

Les enjeux du changement climatique à Madagascar se traduisent par le fait que le phénomène frappe un pays qui a déjà des conditions socio-économiques précaires et dont la croissance économique et le développement dépendent des secteurs qui sont très sensibles aux aléas climatiques. En effet, l'Agriculture joue un rôle très important dans l'économie nationale et plus de la moitié de la population malagasy vit de cette filière, alors que c'est le secteur le plus vulnérable aux dérèglements du climat. Il en est de même pour les autres domaines qui sont menacés directement ou indirectement par le réchauffement climatique, comme l'eau, les zones côtières, la pêche, la forêt sur lesquels le pays compte pour son développement socio-économique.

Cependant, le changement climatique présente également une opportunité pour le pays à travers les différentes mesures prises au niveau international notamment le mécanisme de financement, le transfert de technologies et le renforcement de capacité lesquelles ciblent à la fois la réduction de la vulnérabilité du pays au réchauffement climatique et la promotion des actions de développement contribuant à la réduction des émissions de gaz à effet de serre y compris les mécanismes sur marché carbone et le programme REDD+.

- ***Différents types de pollutions (air, eau, sol) dues au faible accès aux nouvelles technologies et à l'économie circulaire ainsi que les activités anthropiques exerçant de fortes pressions sur l'environnement***

A Madagascar, les déchets sont des sources de pollution surtout dans les grandes villes. La coordination de gestion de déchets est presque inexistante ou disparate. Inexistence de mécanisme de coordination unique au niveau national d'où « La gestion de déchets nationaux est multicéphale et multidirectionnelle. Il n'existe pas au niveau national, de politique globale unique, de stratégie cohérente et harmonieuse de gestion des déchets.

Par ailleurs, il n'existe pas de mécanisme financier pérenne de gestion de déchets national (Ni de redevance écologique sur les déchets, ni d'éco-participation et de l'écotaxe, et pas de responsabilité élargie des producteurs..).

### **Les défis :**

Par rapport à ces problématiques les principaux défis auxquels il faut faire face en matière de gestion durable de l'Environnement sont :

- Instaurer une bonne gouvernance pour le maintien de l'intégrité du capital naturel
- Mettre en place/restaurer les infrastructures vertes, fournisseurs de services garant d'une résilience socio-économique et d'une production durable ;
- Promouvoir l'économie verte et l'économie bleue
- Assurer la pérennisation financière des activités menées dans une optique de développement durable
- Promouvoir une économie résiliente, adaptée aux changements climatiques, et un développement durable à faible émission de carbone et d'autres gaz à effet de serre à l'origine des changements climatiques ;
- Promouvoir la gestion durable des ressources forestières et légalisation de tous les sites prioritaires et potentiels destinés à la production à travers la relance de la mise en place et de l'opérationnalisation des sites KOLOALA
- Concilier conservation du capital naturel et développement durable pour renforcer la résilience socio-économique du pays ;
- Promouvoir la synergie des actions avec tous les acteurs de développement
- Promouvoir le partenariat avec les PTF et le secteur privé

### **Les opportunités :**

L'Environnement est un des piliers du Développement Durable. Ainsi, Il fait partie des secteurs clés et prioritaires. Dans ce sens, le secteur Environnement bénéficie d'une panoplie de financements (Unilatéral, Bilatéral, ..... ) interagissant avec d'autres secteurs.

De plus, le secteur environnement est le gardien des normes réglementaires de la gestion durable des ressources naturelles et de la gouvernance environnementale. De ces derniers découlent les orientations de la bonne gouvernance et de l'accès aux ressources.

Spécifiquement, Le Ministère de l'Environnement a l'expérience des partenariats avec l'Union Européenne, notamment durant les différentes phases du Fond Européen pour le Développement (FED). Actuellement, pour la mise en œuvre du FED 11, le Ministère a une équipe constitué de deux (02) points focaux, de deux (02) responsables de suivi Evaluation et les Directions techniques en tant qu'acteur de mise en œuvre dans le cadre du programme RINDRA, trois (03) Directions Régionales bénéficient du projet AFAFI NORD (SAVA, DIANA, Analanjirofo ) et trois Directions Régionales du AFAFI SUD (Androy, Anosy, atsimoAtsinanana) et de le Projet AFAFI CENTRE

### **Vision et axes stratégiques de gestion de l'Environnement**

Le Gouvernement Malagasy à travers sa Politique Générale a confié une mission spécifique au Ministère en charge de l'Environnement et du Développement durable qui est de « Reverdir Madagascar ».Les six axes

stratégiques suivants constituent actuellement le cadre de mise en œuvre effective de la vision nationale depuis cette année 2020

#### **Axe 1 : Reboisement, restauration et conservation**

- Planter 40 000 ha de forêt par an
- Restaurer 4 000 000 ha d'habitat d'ici 2030
- Conserver les forêts naturelles
- Lutter contre les feux

#### **Axe 2 : Économie verte et bleue et RSE**

- Développer des chaînes de valeur durables
- Créer des emplois verts et bleus
- Intégrer les secteurs privés

#### **Axe 3 : Changement climatique et transition énergétique**

- Renforcer la résilience face aux effets du changement climatique
- Acquérir la souveraineté énergétique et démocratiser les énergies vertes

#### **Axe 4 : Information, éducation, communication**

- Mettre en œuvre des campagnes d'information pour tous
- Mettre en œuvre des campagnes de communication pédagogiques

#### **Axe 5 : Diplomatie verte**

- Renforcer le positionnement de Madagascar dans le concert des nations
- Développer le leadership vert dans les sphères des décisions et d'actions internationales

#### **Axe 6 : Gouvernance**

- Rendre effective et efficiente la gouvernance déconcentrée de nos ressources naturelles
- Lutter contre la corruption et les trafics des espèces menacées

Les conditions de mise en œuvre de la vision sont les suivantes :

- Alignement, appropriation, harmonisation de toutes les bonnes pratiques en faveur du développement durable par tous les acteurs
- Effectivité de la décentralisation et de la déconcentration
- Transparence et redevabilité

#### **Situation actuelle de la gouvernance environnementale**

##### **1- AU NIVEAU INTERNATIONAL :**

Pour garder l'intégrité de notre environnement, l'Etat Malagasy a manifesté ses engagements dans la protection de l'environnement par son adhésion aux Accords Multilatéraux liés à la gestion des ressources naturelles :

- 1- Convention sur la Diversité Biologique (CDB)
  - Mise en œuvre de la Stratégie Nationale et Plan d'Action sur la Biodiversité
  - Mise en œuvre du Protocole de Nagoya par l'adoption en 2017 du décret portant réglementation de l'accès et du partage des avantages découlant de l'utilisation des ressources génétiques
  - Extension des Aires Protégées Marines
- 2- Convention Cadre sur les Changements Climatiques (CCCC)
  - Adoption et mise en œuvre des Contributions Déterminées Nationales (CDN)

- Ratification et mise en œuvre de l'Accord de Paris
  - Mise en œuvre du Défi de Bonn (Bonn Challenge)/AFR 100 par l'adoption de la Stratégie Nationale de Restauration des Paysages et des Forêts et des Infrastructures Vertes (Objectif de 4 Millions Ha d'ici 2030)
- 3- Convention des Nations Unies sur la lutte contre la Désertification (CNULCD)
- Définition des cibles nationaux volontaires en matière de Neutralité de la Dégradation des Terres d'ici 2030
- 4- Convention sur le Commerce International des Espèces Menacées d'Extinction (CITES)
- Plan d'action CITES Madagascar relatif à la lutte contre les trafics illicites des bois précieux (bois de rose, bois d'ébène et palissandre)

## **2- AU NIVEAU NATIONAL**

Le Ministère de l'Environnement et du Développement Durable (MEDD) reconferme son engagement au profit du développement durable du pays à travers :

### **1- Mise en œuvre de la Charte de l'Environnement actualisée (Loi n°2015-003), de la Politique Nationale pour l'Environnement et le Développement Durable (Décret n° 2015-1308 du 22 septembre 2015) et de la Politique Forestière Nationale Actualisée (Décret n°2017-376 du 16 mai 2017) :**

- Elaboration du Programme Environnemental pour le Développement Durable
- Elaboration du Code Forestier
- Elaboration du Plan Directeur Forestier National (PDFN)
- Elaboration des Directives Nationales des Actions de Reboisement (DNAR)
- Engagement pour un reboisement de 40.000 Ha par an
- Définition et mise en œuvre du Contrat de Performance par rapport à la PGE :
  - Reboisement
  - Lutte contre les feux de brousse
  - Lutte contre le trafic des faunes et flores
  - Lutte contre le trafic et assainissement de la filière Bois de Rose
  - Protection de l'Environnement, sécurisation des Aires Protégées et lutte contre la pollution

### **2- Lutte contre les trafics illicites des ressources naturelles :**

- Contribution à l'opérationnalisation de la Chaine Pénale Spéciale de lutte contre les trafics illicites des bois précieux (bois de rose, bois d'ébène et palissandre) en collaboration avec le Ministère en charge de la Justice et du BIANCO
- Lutte contre les trafics illicites de tortues

### **3- Bénéficiaires des projets RINDRA et AFAFI de l'Union Européenne**

## **Avancées dans la lutte contre le trafic et la sauvegarde des ressources naturelles**

### **1. Améliorer la législation et les processus juridiques**

- Formation et sensibilisation des magistrats, des douaniers et des forces de l'ordre sur le renforcement des capacités du système judiciaire sur la lutte contre les criminalités fauniques à Madagascar, pour faire face aux trafics, afin de donner des peines exemplaires à la hauteur des délits.
- Mise en œuvre de la Loi N°2015-056 du 03 février 2016 portant création de la chaine spéciale de lutte contre le trafic de bois de rose et/ou de bois d'ébène » et répression des infractions relatives aux bois de rose et/ou bois d'ébène
- Mise en place des structures opérationnelles de la chaine spéciale
- Poursuite des procès sur les infractions forestières, recherche des complices de l'exportation illicite à Singapour
- Poursuite d'une action civile contre l'importateur à Singapour pour le rapatriement des bois saisis

## **2. Réduire au minimum le crime de faune et le commerce illicite**

- Signature de protocole d'accord entre le Ministère et les gestionnaires afin d'améliorer les contrôles dans les aires protégées
- Recrutement des nouveaux OPJ pour renforcer l'équipe de terrain de l'Administration forestière dans les contrôles forestiers au niveau des Aires Protégées
- Politique pénale en matière de lutte contre le trafic de tortue : requérir des peines sévères ; interjeter en appel toute les fois que les décisions sont rendues au mépris des réquisitions du ministère public
- Engagement de Madagascar à la ratification et la mise en œuvre de la Déclaration de Londres sur le commerce illégal des espèces sauvages
- Engagement de Madagascar à la ratification et la mise en œuvre de la Déclaration de Zanzibar sur le commerce illégal de bois et des produits forestiers
- Recherche d'opportunités de revenus alternatives pour réduire la collecte illicite de la faune sauvage

## **3. Intégrer les personnes et la nature dans la conservation et le processus de développement**

- Adhésion de Madagascar dans le processus SADC TWIX afin d'élaborer une approche globale visant à enrayer le prélèvement et le braconnage illégaux des espèces sauvages et leurs produits dans la région de l'Afrique Australe.
- Application de la loi sur les infractions forestières dans les Aires Protégées
- Suspension d'exploitation des espèces palissandre jusqu'à la sortie des résultats des études.
- Recrutement de nouveaux OPJ pour renforcer l'équipe de terrain de l'Administration forestière dans les contrôles forestiers et qui vont travailler surtout au niveau des 11 aires protégées

## **4. Commerce et utilisation durable des ressources naturelles**

- Mise en place d'une étude pilote pour l'émission de l'Avis de Commerce Non Préjudiciables pour des espèces de palissandre à distribution réduite et Appui au renforcement de la gouvernance forestière
- Etude sur l'identification des espèces : clarifications taxonomiques et développement de techniques et de méthodes d'identification permettant la mise en œuvre des réglementations de la CITES pour les espèces de *Dalbergia* et de *Diospyros* de Madagascar inscrites dans l'Annexe II
- Distribution des quotas d'exportation validés par la CITES aux opérateurs agréés

## **5. Améliorer et renforcer la protection sur le terrain des ressources faunistique**

- Adoption des décrets définitifs des nouvelles Aires Protégées
- Mise en place de convention traditionnelle locale ou DINA pour la protection des tortues constituant un moyen efficace d'impliquer les communautés locales, à appréhender des trafiquants locaux
- Suivi satellitaire des zones sensibles et de mouillage de bateaux
- Recrutement des nouveaux OPJ pour renforcer l'équipe de terrain de l'Administration forestière dans les contrôles forestiers et qui vont travailler surtout au niveau des 11 aires protégées