

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

Wildlife crime enforcement support in West and Central Africa

Inclusion of *Pterocarpus erinaceus* in the Review of Significant Trade

REPORT OF THE PLANTS COMMITTEE

1. This document has been submitted by the Plants Committee.*
2. At its 70th meeting¹ (SC70, Sochi, October 2018), the Standing Committee requested the Plants Committee to consider the inclusion of *Pterocarpus erinaceus* from all range States in the Review of Significant Trade (RST) and report its findings and recommendations to the 73rd meeting of the Standing Committee (SC73).
3. Based on the recommendations found in document [CoP18 Doc. 34](#) on *Wildlife crime enforcement in West and Central Africa*, the Conference of the Parties, at its 18th meeting (CoP18, Geneva, 2019), adopted Decisions 18.88 to 18.93 on *Wildlife crime enforcement support in West and Central Africa*. Decision 18.92 follows up on the recommendation by the Standing Committee referred to in paragraph 2, as follows:

18.92 Directed to the Standing Committee

The Standing Committee shall:

- a) *consider the report from the Secretariat in accordance with Decision 18.93, paragraph d) and progress made by Parties in West and Central Africa in strengthening CITES implementation and make further recommendations as appropriate; and*
 - b) *consider any report from the Plants Committee, in response to the recommendation agreed at its 70th meeting, concerning the inclusion of *Pterocarpus erinaceus* from all range States in the Review of Significant Trade and make recommendations as required.*
4. In support of Decision 18.92 paragraph b), the Secretariat submitted document PC25 Doc. 15.5 and its Addendum to the Plants Committee at its 25th meeting (PC25, online, June 2021). The document explained that the Secretariat was of the view that including *Pterocarpus erinaceus* in the Review of Significant Trade (RST) process qualifies an exceptional case pursuant to paragraph 1 c) (Stage 1) of Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species*. The Annex to document

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

¹ See SC70 summary record (SC70 SR), at: <https://cites.org/sites/default/files/eng/com/sc/70/exsum/E-SC70-SR.pdf>

PC25 Doc. 15.5 presented a report commissioned by the Secretariat in compliance with subparagraph 1 c) ii) of Resolution Conf. 12.8 (Rev. CoP18) on the international trade in the species for each of the then 17 known range States of *P. erinaceus* and included, *inter alia*, a provisional categorization of range States as 'action is needed', 'unknown status' and 'less concern', in accordance with paragraph 1 e) of Resolution Conf. 12.8 (Rev. CoP18). Document PC25 Doc. 15.5 Addendum presented additional information brought to the attention of the Secretariat by the following range States of *P. erinaceus* after the publication of document PC25 Doc. 15.5 in 2020: Benin, Guinea-Bissau, Nigeria and Senegal.

5. Based on the recommendations contained in said documents, at PC25 the Plants Committee established an in-session working group chaired by one of the regional Members for Africa (Mr. Mahamane) and the regional Member for North America (Ms. Gnam).
6. Based on the working group's outputs [see PC25 Com. 8 (Rev. by Sec.)] the Plants Committee adopted the following recommendations (PC25 SR):

a) *The Committee agreed to categorise the following Pterocarpus erinaceus/country combinations as 'action is needed', and therefore included in Stage 2 of the Review of Significant Trade (RST) process:*

Country	Justification
Benin	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Burkina Faso	See Table 1.2 in PC25 Doc. 15.5 Annex 1. Changed from less concern to action is needed based on the information presented in PC25 Inf. 21.
Gambia	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Ghana	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Guinea Bissau	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Mali	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Nigeria	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Sierra Leone	See Table 1.2 in PC25 Doc. 15.5 Annex 1.

b) *The Committee agreed to categorise the following Pterocarpus erinaceus/country combinations as 'less concern':*

Country	Justification
Cameroon	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Central African Republic	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Chad	See Table 1.2 in PC25 Doc. 15.5 Annex 1. The Committee further noted that Chad is a range State of <i>P. erinaceus</i> .
Côte d'Ivoire	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Guinea	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Liberia	See Table 1.2 in PC25 Doc. 15.5 Annex 1. The Committee further noted that Liberia is not a range State of <i>P. erinaceus</i> .
Niger	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Senegal	See Table 1.2 in PC25 Doc. 15.5 Annex 1.
Togo	See Table 1.2 in PC25 Doc. 15.5 Annex 1.

c) *The Committee agreed to refer all Pterocarpus erinaceus range States (which does not include Liberia; see table above) to the Standing Committee for further consideration under Decision 18.92, based on documented, widespread and pervasive illegal trade.*

- d) *The Committee agreed that the indicative timeline and procedure for the Pterocarpus erinaceus/range States selected for inclusion in Stage 2 of the RST process as shown in the table below. Recognizing the urgency of the matter, this includes an agreement for the Plants Committee to proceed via intersessional decision-making, in accordance with Rule 19 of its Rules of Procedure, once the relevant consultations with range States have taken place and the report to be commissioned by the Secretariat is available.*

Indicative timeline

Date or meeting	Stage (Resolution Conf. 12.8 (Rev. CoP18))	Activity* *Paraphrased from Resolution Conf. 12.8 (Rev. CoP18)
24 June 2021 (PC25 Plenary).	Stage 1 [paragraph 1 c), exceptional case]	Plants Committee selects Stage 2 range States.
No later than 23 July 2021.	Stage 2 [paragraph 1 d) i)]	Secretariat notifies selected range States.
No later than 23 September 2021.	Stage 2 [paragraph 1 d) ii)]	Range States respond to Secretariat concerning scientific basis of exports from their country.
From 23 July 2021 to a deadline agreed by inter-sessional decision-making procedure (Rule 19 of the Rules of Procedure for meetings of the Plants Committee), since this relates to an exceptional case under the RST process.	Stage 2 [paragraph 1 d) ii), and 1 f)]	Secretariat commissions consultants to update the report on <i>P. erinaceus</i> , based on range States additional information, as it becomes available, and within the deadlines established in the step above, and submits it for consideration of the Plants Committee, to initiate Stage 3 of the process.

- e) *The Committee encouraged those range States which may be removed from the RST process at this stage (i.e. Stage 1) to publish their zero quotas, harvest or trade ban information on the CITES website, as recommended in Resolution Conf 12.3 (Rev. CoP18) on Permits and certificates and as recommended in Resolution Conf. 14.7 (Rev. CoP15) on Management of national export quotas.*
- f) *The Committee recommended that, should trade resume, any change to these zero quotas should be communicated by the range State to the Secretariat and the Chair of the Plants Committee along with a justification (such as the basis for their non-detriment finding), as recommended in Resolution Conf. 14.7 (Rev. CoP15) on Management of national export quotas.*

Countries exiting the RST process at Stage 1

7. As a recap, the countries that by being classified as 'less concern' at PC25 have been removed from the review process for *P. erinaceus* are the following nine: Cameroon, Central African Republic, Chad, Côte d'Ivoire, Guinea, Liberia (since it was noted at PC25 as not being a range State), Niger, Senegal and Togo.
8. Regarding subparagraphs 6 e) and f) above, amongst the countries removed from the process, Senegal has submitted for consideration at the present meeting document SC74 Doc. 35.1.2. However, at the time of writing, none of the removed countries have requested the publication of a zero export quota.

Countries selected for Stage 2 of the RST process

9. Following PC25, and in accordance with paragraph 1, d), i) of Resolution Conf. 12.18 (Rev. CoP18), through letters dated 29 July 2021 and 8 August 2021, the Secretariat notified the selected range States (i.e. Benin, Burkina Faso, Gambia, Ghana, Guinea Bissau, Mali, Nigeria and Sierra Leone) of their inclusion in Stage 2 of the RST process and requested information concerning the scientific basis by which they established that exports from their country are not detrimental to the survival of the species concerned and compliant with Article IV, paragraphs 2 (a) and 3 of the Convention.

10. At the time of writing, the Secretariat has received responses from five of the Stage-2 selected countries: Benin, Gambia, Guinea Bissau, Mali and Sierra Leone. Highlights of the responses thus far received are briefly listed below:
- a) Benin provided an update on national-level bans, including the maintenance of a zero export quota since 2018. However to the knowledge of the Secretariat no zero-export quotas for *P. erinaceus* had been by Benin for publication in the CITES website. The Secretariat is in process of consulting with Benin if the zero-export quota is to be published for 2021;
 - b) Gambia shared on 21 December 2021 an extensive NDF document for *P. erinaceus* for consultation with the Secretariat, which is still under review;
 - c) Guinea-Bissau notified the Secretariat on the lifting of the moratorium that had been in place since 2015; underscoring that the government will put measures in place to ensure the resuming of forestry activities and wood export are compliant with the applicable national and international legislation;
 - d) Mali responded with a brief letter with a two-page NDF document, including proposed quotas for 2020 and 2021. As this information is to be considered by the Plants Committee in the framework of the intersessional decision making process, none of the quotas mentioned by Mali in their response have been published in the website; and,
 - e) Sierra Leone reported that no NDF has been developed to support the establishment of *Pterocarpus erinaceus* export quotas. They also inform on the intermittent establishment of harvesting and export bans by the government in response to increasing demands of export of the species. In their response, they also mention that relevant forestry and wildlife conservation acts are in process to being updated, to include further guidelines regarding harvest and trade of CITES-listed species.
11. In the case of Nigeria, whilst they did not reply directly to the RST letter, the Secretariat has maintained close communication with the country in the broader framework of the implementation of the ongoing Article XIII process, as detailed in document SC74 Doc. 28.2.4, which includes updates on the preparation of a non-detriment finding report for *Pterocarpus erinaceus*.

Steps to follow

12. Based on a preliminary analysis and summary of the responses received from the five selected range States, in accordance with paragraph 1 d) ii), and 1 f) of Resolution Conf. 12.8 (Rev. CoP18), the Secretariat commissioned in December 2021 an updated report on *Pterocarpus erinaceus* in Stage-2 selected range States, building upon the existing PC25 documentation and agreements, the responses received to the Secretariat's consultations, and other relevant information.
13. The findings and recommendations of the updated report on *P. erinaceus* are expected to be available early in February 2022.
14. Stage 3 of the review process (categorization and recommendations by the Plants Committee) will be initiated once the Secretariat makes the study in paragraph *supra* available to the Plants Committee for its consideration through intersessional-decision making, as agreed at PC25 and in accordance with Rule 19 of the Plants Committee.

Recommendations

15. The Standing Committee is invited to:
- a) note the progress achieved by the Plants Committee in the Review of Significant Trade in *Pterocarpus erinaceus* following the request of SC70;
 - b) in accordance with paragraph 2 of Resolution Conf. 12.8 (Rev. CoP18), address the problems not related to the implementation of Article IV 2 a) or 3, identified by the Plants Committee in paragraph 6 c) of the present document and in other relevant documentation of the present meeting, including SC74 Doc. 28.24 [on Article XIII/Nigeria] and SC74 Doc. 35.1.2 [Senegal's document]); and,
 - c) agree that paragraph b) of Decision 18.92 can be considered completed.