

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September – 5 October 2016

Species specific matter

INTERNATIONAL TRADE IN *ENCEPHALARTOS* SPP.

1. This document has been submitted by South Africa.\*

Background

2. Cycads are globally the most threatened group of plants, with more than 60% of the species classified as threatened by the International Union for the Conservation of Nature (IUCN). Illegal international trade is possibly one of the major threats to cycads.
3. South Africa is a centre of cycad diversity with more than half the species in the African genus *Encephalartos* occurring in the country (37 species in total).
4. The IUCN Red List of Threatened Species indicates that two thirds of South Africa's cycad species will become extinct in the immediate to near future. According to the South African National Biodiversity Institute (SANBI), cycads are the most threatened plant group in South Africa.
5. Three of South Africa's cycad species are already extinct in the wild, with two of the extinctions caused directly by illegal removal of plants from wild populations. Seven of South Africa's Critically Endangered cycad species have been impacted to such an extent that there are currently less than 100 plants remaining in the wild, with four of these species now on the brink of extinction.
6. Illegal harvesting of adult plants to supply the domestic and possibly also the international cycad trade has resulted in significant declines in most species of *Encephalartos* in South Africa.

Discussion

7. Legal exports of *Encephalartos* specimens, primarily seedlings, from South Africa have increased significantly over the last two decades.
8. In 2012, South Africa prohibited specific activities involving certain *Encephalartos* species that are listed on Appendix I of CITES, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). The prohibition states that, unless required for conservation or enforcement purposes, the following activities involving **wild** specimens of *Encephalartos* species are prohibited:
  - Collect, pluck, uproot, destroy
  - Export from the Republic of South Africa, sell, trade, buy
  - Receive, give, donate, accept, acquire, dispose
  - Import into the Republic of South Africa, convey, move, translocate

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\* 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.

- Possess, exercise physical control (except where permits were issued, prior to the publication of the prohibition notice, for plants that form part of legally obtained parental stock)
9. The following activities involving artificially propagated specimens of certain *Encephalartos* species that are listed on Appendix I of CITES are also prohibited:
- The export from the Republic of South Africa of specimens with a stem diameter of more than 15cm, except for the following dwarf species which cannot be exported if the stem diameter is more than 7cm: *E.caffer*, *E.humilis*, *E.cupidus*, *E.cerinus* and *E.ngoyanus*.
10. The export of large *Encephalartos* plants from South Africa is therefore prohibited in terms of South African legislation. Despite this prohibition and the various actions implemented by South African authorities to address the illegal removal of cycads from the wild, populations of certain cycad species continue to decline, and there are concerns that illegally harvested *Encephalartos* plants may be illegally exported from South Africa. The scale of this illegal international trade is currently unknown.
11. The implementation of the proposed decision will assist in the process of obtaining information relating to illegal trade in *Encephalartos* species, not only from South Africa, but also from other range States, and improve coordination relating to investigations and information sharing in a manner similar to the Decisions adopted by the 16<sup>th</sup> Conference of Parties to CITES relating to illegal trade in rhino horn.

#### Recommendation

12. South Africa proposes that the Conference of Parties to CITES adopt the Decision presented in Annex I in order to ascertain the scale of the illegal international trade in *Encephalartos* species and facilitate coordination of information sharing and investigations in relation to the illegal trade in *Encephalartos* species.

#### COMMENTS FROM THE SECRETARIAT

- A. Given the endangered status of cycad species, the Secretariat supports greater attention be given to how the species might be affected by illegal trade, as proposed in the present document.
- B. However, given that limited information about the scale and nature of illegal international trade in *Encephalartos* species is available, as also stated in the present document, it might not be feasible to address this matter in a manner similar to the one used in relation to illegal trade in rhinoceros horn, as proposed in the present document.
- C. The Secretariat recommends that activities be undertaken to improve the current understanding of the scale and nature of illegal international trade in *Encephalartos* species, based upon which the Secretariat can formulate recommendations for consideration by the Standing Committee.
- D. A special one-off reporting requirement to gather information about illegal trade in *Encephalartos* species, drawing upon the template for species-specific reporting adopted by the Standing Committee, as reported upon in document CoP17 Doc. 35.1 on *Review of reporting requirements* prepared for the present meeting, might be more appropriate, and the Secretariat recommends the following draft decision:

#### ***Directed to the Secretariat:***

17.AA The Secretariat shall:

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

- b. drawing upon the reports received from Parties in response to the Notification to the Parties mentioned in Decision 17.AA paragraph a), prepare a report on legal and illegal trade in *Encephalartos* spp. specimens, including recommendations, for consideration by the Standing Committee.
- E. In document CoP17 Doc. 25 on Enforcement matters, the Secretariat reports on the global review of forensic laboratory capacity commissioned by the Secretariat in cooperation with the United Nations Office on Drugs and Crime (UNODC). The Secretariat also proposes in that document a draft decision to compile an electronic directory of laboratories that conduct wildlife forensic testing. The Secretariat considers that the objectives of this draft decision, if adopted, might meet what is anticipated by draft decision 17.xx paragraph c) directed to all Parties, and draft decision 17.xx paragraph a) directed to the Secretariat, in the Annex to the present document.
- F. The Secretariat recommends that draft decision 17.xx paragraph d) directed to all Parties, and draft decision 17.xx directed to the Standing Committee, in the Annex to the present document, be adopted. In the light of the above, and the draft decisions proposed by the Secretariat, the remaining draft decisions (draft decision 17.xx paragraphs a) and b) directed to all Parties and draft decision paragraphs b) and c) directed to the Secretariat) proposed in the Annex to the present document might not be needed.

**Decision of the Conference of the Parties**

**International trade in *Encephalartos* species**

**Decision 17.XX**

**Directed to all Parties:**

17.xx All Parties should:

- a) *immediately bring every seizure of illegal *Encephalartos* species specimens made within their territories to the attention of authorities in range States, countries of origin, transit and destination, as applicable, and to the attention of the Secretariat. Information on the seizure should be accompanied by available associated information to enable follow-up investigations to take place;*
- b) *notify the CITES Secretariat of seizures of specimens of *Encephalartos* species specimens for which the origin cannot be determined. Such a notification should include information describing the circumstances of the seizure;*
- c) *submit samples from specimens of *Encephalartos* species specimens confiscated and or subject to criminal investigation, to designated forensic laboratories for DNA analysis;*
- d) *prior to issuing permits or certificates, including pre-Convention certificates, authorizing the import or re-export of specimens of *Encephalartos* species, consult with the country of origin, so that the true nature of the trade and source of specimens may be confirmed and monitored.*

**Directed to the Secretariat**

17.xx The Secretariat shall:

- a) *subject to external funding, develop, in conjunction with relevant institutions and experts, a manual containing guidelines on best practices, protocols and operational procedures that will promote the use of wildlife forensic technology as it relates to plant material;*
- b) *subject to external funding, develop a report on the illegal trade in *Encephalartos* species for consideration by the 69<sup>th</sup> Standing Committee; and*
- c) *report to the 69<sup>th</sup> meeting of the Standing Committee on progress with regard to the implementation of paragraph a) and b).*

**Directed to the Standing Committee**

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