

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 matters

INTERNATIONAL TRADE IN AFRICAN TREE SPECIES

1. This document has been submitted by Kenya as Chair of the Plants Committee's Working Group on African Tree Species.*

Background

2. At the 22nd meeting of the Plants Committee (PC22, Tbilisi, 2015), the Committee established an intersessional working group on African tree species with the following membership: Chair: Kenya (Beatrice Khayota); Plants Committee members: Representative of Africa (Mr. Luke) and Alternate Representative of Europe (Mr. Carmo); Parties: Belgium, Chile, Democratic Republic of the Congo, European Union, France, Germany, Italy, Madagascar, Netherlands, Paraguay, Spain, Sweden, Uganda, United Kingdom of Great Britain and Northern Ireland, and the United States of America; international governmental organizations and non-governmental organizations: UNEP-WCMC, IUCN, Center for International Environmental Law, Environmental Investigation Agency, Special Survival Network, TRAFFIC, WWF, and FTS Botanics. Additionally, the Plants Committee adopted the following terms of reference of the intersessional working group:
 - a) The working group will function under the authority of the Plants Committee;
 - b) The working group will work primarily via electronic means;
 - c) The working group will seek to facilitate the circulation and exchange of experiences among the range States, importing countries and other stakeholders on the sustainable use and management of CITES-listed African tree species;
 - d) The working group will seek to identify gaps and weaknesses in the capacity of range States of African tree species to effectively implement CITES for these species;
 - e) The working group will examine how the processes currently used by countries to develop annual export quotas compare with the processes recommended under CITES and develop recommendations for reconciling them;
 - f) The working group will explore the conversion factors used for different commodities (e.g., logs, sawn wood, bark) and develop recommendations for improving such processes;
 - g) The working group will seek to identify other African tree species that may benefit from inclusion in the CITES Appendices;

* *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.*

- h) The group will conclude its deliberations on these issues by 31 March 2016 in order to have sufficient time to prepare a report on its progress for consideration at CoP17; and
 - i) In its report to CoP17, the working group will invite the Parties to review the outcomes of the work undertaken by the working group and evaluate the need for continuing such a working group. Any decision adopted concerning the continuation of this working group will call on it to report its findings to the 23rd and 24th meetings of the Plants Committee (PC23 and PC24) as appropriate.
3. In order to ensure broad participation from relevant stakeholder groups in the working group, particularly from range States of CITES-listed African tree species, the Secretariat issued Notification to the Parties No. 2015/060 on 20 November 2015, which invited participation in the working group from other Parties as well as relevant industry and non-governmental representatives. In response to the Notification, the following additional members joined the group: Cameroon, Senegal, South Africa, Forest Research and Management Institute, International Wood Products Association, INDENA, ITTO, World Resources Institute and EUROMED.
 4. During preliminary discussions, working group members raised the following specific issues related to the terms of reference:
 - a) difficulties in applying the recommendations in Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas* in light of the fact that export quotas may be established on the basis of annual allowable cutting permits rather than harvest year;
 - b) the possibility of adopting quotas comprising various commodities (e.g., sawn wood, logs) and the challenges posed by this;
 - c) lack of knowledge of the impact of certain harvesting practices on the health of the species and the challenges posed in making non-detriment findings in such cases; and
 - d) Identification of species in trade.
 5. Due to the shortness of time, the working group was unable to initiate more substantive discussions. Therefore, the working group agreed that it would be useful for the Conference of the Parties to call for this work to be taken up again during the intersessional period following CoP17.

Recommendations

6. The Working Group recommends that the Conference of the Parties adopt the draft decisions contained in Annex 1 to the present document.

COMMENTS FROM THE SECRETARIAT

- A. This initiative is based on the experiences of the CITES working group on neotropical tree species, which operated for numerous years, and evolved from the big leaf mahogany working group. The Plants Committee agreed that a similar working group working for African tree species might be useful to assist African range States in their implementation of CITES for trade in that group of species.
- B. The Secretariat considers that the proposed mandate for this working group, as outlined in Annex 1, seems quite ambitious and perhaps unrealistic, although the results, as envisaged, could be of interest. While the group would primarily work via electronic means, some of its tasks may require full time dedication, inputs from experts, or (externally funded) studies and consultancies in order to generate meaningful results. This may particularly be the case for the work outlined in paragraphs c), d), e) and f) of draft decisions 17.AA. The eventual budget implications for such external contributions are not anticipated.
- C. In the view of the Secretariat, the working group should report to the Plants Committee, for the Plants Committee to relay findings and recommendations to relevant range States, Parties, the Standing Committee or the Conference of the Parties. As such, the Secretariat proposes to modify draft decision 17.AA as follows (amendments shown in ~~strikeout~~ and underline):

- 17.AA The Plants Committee shall form a working group on African tree species with the following terms of reference, as well as any other terms it deems appropriate:
- a) The working group will work primarily via electronic means;
 - b) The working group will seek to facilitate the circulation and exchange of experiences among the range States, importing countries and other stakeholders on the sustainable use and management of CITES-listed African tree species;
 - c) The working group will seek to identify gaps and weaknesses in the capacity of range States of African tree species to effectively implement CITES for these species;
 - d) The working group will examine how the processes currently used by countries to develop annual export quotas compare with the processes recommended under CITES and develop recommendations for reconciling them;
 - e) The working group will explore the conversion factors used for different commodities (e.g., logs, sawn wood, bark) and develop recommendations for improving such processes;
 - f) The working group will seek to identify other African tree species that may benefit from inclusion in the CITES Appendices;
 - g) The working group will bring any issues related to implementation and enforcement of CITES listings for African tree species to the attention of the Plants Committee Standing Committee; and
 - h) The working group will prepare reports its findings and recommendations for the 23rd and 24th meetings of the Plants Committee.

~~17.AA bis; and~~ ~~_____ i)~~ The Plants Committee will consider the reports and information and recommendations of the working group submitted in compliance with Decision 17.AA, provide recommendations to the Standing Committee or Parties as appropriate, and report on progress with ~~will prepare a report on~~ this work for consideration at the 18th meeting of the Conference of the Parties.

- D. In draft decision 17.BB, the Secretariat is directed to seek external funding to support the work of this working group, “particularly with regard to facilitating discussions and translation of documents into the three working languages of the Convention”. The translation costs for all documents submitted on time and respecting the 12-page rules for official meetings of the Plants and Standing Committees, and the Conference of the Parties, can be absorbed within the Secretariat’s regular budgets. However, it would be very challenging for the Secretariat to translate communications, draft documents or other materials that the working group may be exchanging, generating or discussing intersessionally.
- E. The potential translation costs and staff time to manage multiple exchanges may be considerable. In the past, the Secretariat has on very few occasions been asked to assist working groups with translations and communications in this manner. But it has invariably been very difficult to obtain external funding for such activities. The Secretariat would therefore advise that, to the extent possible, the working group operates in a single language or in manageable language clusters, and finds internal solutions to facilitate communications amongst its membership.
- F. As indicated above, the Secretariat is of the opinion that some of the tasks indicated in draft decision 17.AA may require expertise that would need to be contracted out, and may have budget implications. Costs are difficult to estimate, but may range from USD 20,000 to 100,000 per assigned task. The Secretariat will seek funding for all adopted decisions and resolutions requiring external funding and does not see the need of a specific decision directing it to do so. As such, the Secretariat advises to delete draft decision 17.BB.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

African tree species

Directed to the Plants Committee

- 17.AA The Plants Committee shall form a working group on African tree species with the following terms of reference, as well as any other terms it deems appropriate:
- a) The working group will work primarily via electronic means;
 - b) The working group will seek to facilitate the circulation and exchange of experiences among the range States, importing countries and other stakeholders on the sustainable use and management of CITES-listed African tree species;
 - c) The working group will seek to identify gaps and weaknesses in the capacity of range States of African tree species to effectively implement CITES for these species;
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 - f) The working group will seek to identify other African tree species that may benefit from inclusion in the CITES Appendices;
 - g) The working group will bring any issues related to implementation and enforcement of CITES listings for African tree species to the attention of the Standing Committee;
 - h) The group will prepare reports and recommendations for the 23rd and 24th meetings of the Plants Committee; and
 - i) The Plants Committee will consider the reports and recommendations of the working group and will prepare a report on this work for consideration at the 18th meeting of the Conference of the Parties.

Directed to the Secretariat

- 17.BB The Secretariat, within the scope of its cooperation with the International Tropical Timber Organization and other bodies, shall seek external funding to support the work of this working group, particularly with regard to facilitating discussions and translation of documents into the three working languages of the Convention.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

As per the draft decision, the working group will work primarily via electronic means. There are French, English, and Spanish speaking countries in the region and therefore it is very important to have some kind of translation or interpretation for the discussions, including email and documents. There may also be the need for face to face meeting(s) requiring interpretation to advance certain issues. External sources of funding would be used.