



EIA BRIEFING – TIMBER

RECOMMENDATIONS REGARDING CERTAIN AGENDA ITEMS FOR CITES COP17

Below are comments and recommendations from the Environmental Investigation Agency (EIA) on certain agenda items regarding timber for CITES CoP17. In addition to the comments enclosed herein, EIA as a member of the Species Survival Network (SSN) also supports and associates itself with the comments submitted by SSN. A summary of EIA's recommendations is provided below followed by more detailed rationale.

Proposal/Document	EIA Recommendations	Rationale
<p>SPECIES PROPOSAL: PROP. 53 - AMENDMENT #5 TO #4 FOR LISTING OF DALBERGIA COCHINCHINENSIS</p>	<p>SUPPORT the adoption of the proposal and accept annotation #4 for App II listing of <i>Dalbergia cochinchinensis</i> (Siam rosewood)</p> <p>NOTE that the Plants Committee supports the consideration of this proposal by the Conference of the Parties</p> <p>CALL upon range states Thailand, Laos, Cambodia and Vietnam to enact national legislation prohibiting the harvest and export of <i>D. cochinchinensis</i></p> <p>CALL upon importing Parties, especially China and Vietnam, to conduct additional verification on permits with Management Authorities listed as country of origin</p>	<p>Extensive trade of <i>D. cochinchinensis</i> is semi-finished products continues under annotation #5 and poses a serious threat to known stocks, current as of 2011. Annotation #4, used previously for Ramin, is an appropriate replacement annotation and will close this loophole, affording greater protection to a rare species experiencing rapid depletion. Parties should seek to pre-empt support for protecting species in burgeoning trade as look-alike/replacement species.</p>
<p>SPECIES PROPOSAL: PROP.55 - GENUS LISTING OF DALBERGIA SPP. ONTO APPENDIX II</p>	<p>SUPPORT the adoption of the proposal in Prop. 55</p> <p>CALL for Parties to consider listing criteria of <i>Pterocarpus</i> species that are acknowledged as look-alike and replacements for CITES-listed <i>Dalbergias</i></p>	<p>The inclusion of high-value <i>Dalbergias</i> onto Appendix II at CoP16 has resulted in greater trade of non-CITES listed <i>Dalbergias</i> and <i>Pterocarpus spp.</i>, justifying further CITES control to avoid false declarations, identification issues and exponential trade increases of species with unknown populations.</p>
<p>SPECIES PROPOSAL: PROP.57 - TRANSFER OF PTEROCARPUS</p>	<p>SUPPORT the transfer of <i>Pterocarpus erinaceus</i> (Kosso) from Appendix III to Appendix II, without annotation</p>	<p>Past experiences have demonstrated that Appendix III listing is insufficient in preventing the commercial extinction of rosewood species, when international well-organized trading networks are actively involved in illegal activities, as it</p>

Proposal/Document	EIA Recommendations	Rationale
ERINACEUS FROM APP III TO APP II		is the case for <i>P. erinaceus</i> . Appendix II listing will empower importing countries to assist range states by blocking shipments of illegally harvested and illegally traded wood, and make it easier to distinguish legal from illegal wood.
COP 17 DOC 55.2 - IMPLEMENTATION OF THE TRADE IN MALAGASY EBONIES (DIOSPYROS SPP.) AND PALISANDERS AND ROSEWOODS (DALBERGIA SPP.)	<p>EXTEND the trade suspension in <i>Diospyros spp.</i> and <i>Dalbergia spp.</i> until at least SC69</p> <p>CALL for decisive measures to ensure full CITES compliance</p> <p>CONSIDER a trade suspension in all Malagasy CITES-listed species from January 1, 2017</p>	The implementation of critical activities of the Action Plan (Dec. 16.152) required to combat the illegal logging and related international trade in <i>Diospyros spp.</i> and <i>Dalbergia spp.</i> , such as effective enforcement and comprehensive stockpile evaluation, remains insufficient. At this time, it would be devastating to consider an auction of existing stockpiles, reopening of trade or allowing fresh logging, all of which are part of Madagascar's submission to SC66.
COP17 DOC.62 - INTERNATIONAL TRADE IN ROSEWOOD SPECIES	<p>SUPPORT Doc 62 and CALL for a decision to assess the international trade on wild rosewood populations listed on the Hongmu Standard and found globally, with view to listing onto the Appendices any species (of any family) found to be traded at a level detrimental to its survival.</p> <p>DIRECT the Parties that are key importing, exporting and re-exporting countries to provide species level trade data under the HS code for Hongmu spp. (44039930)</p>	Since CoP16 there has been an increase in trade of both CITES-listed and non-CITES listed rosewood species (including less valuable look-alikes). Parties should seriously consider the effects of trends to source look-alikes and consider suitable inclusion in the Appendices.
COP17 DOC 83.2- REPORT OF THE ANNOTATIONS WORKING GROUP	<p>CALL for a decision directing the Standing Committee to continue the work and remit of the Annotations Working Group</p> <p>SUPPORT inclusion of 'interpretation' of annotations within Appendices</p>	Specific annotations should only be added if there is evidence that trade in a listed species is non-detrimental to its survival and/or would be unduly restricted through CITES controls.

I. SPECIES PROPOSAL - COP17 Prop. 53 Consideration of Proposals for Amendment of Appendices I and II – *Dalbergia Cochinchinensis*

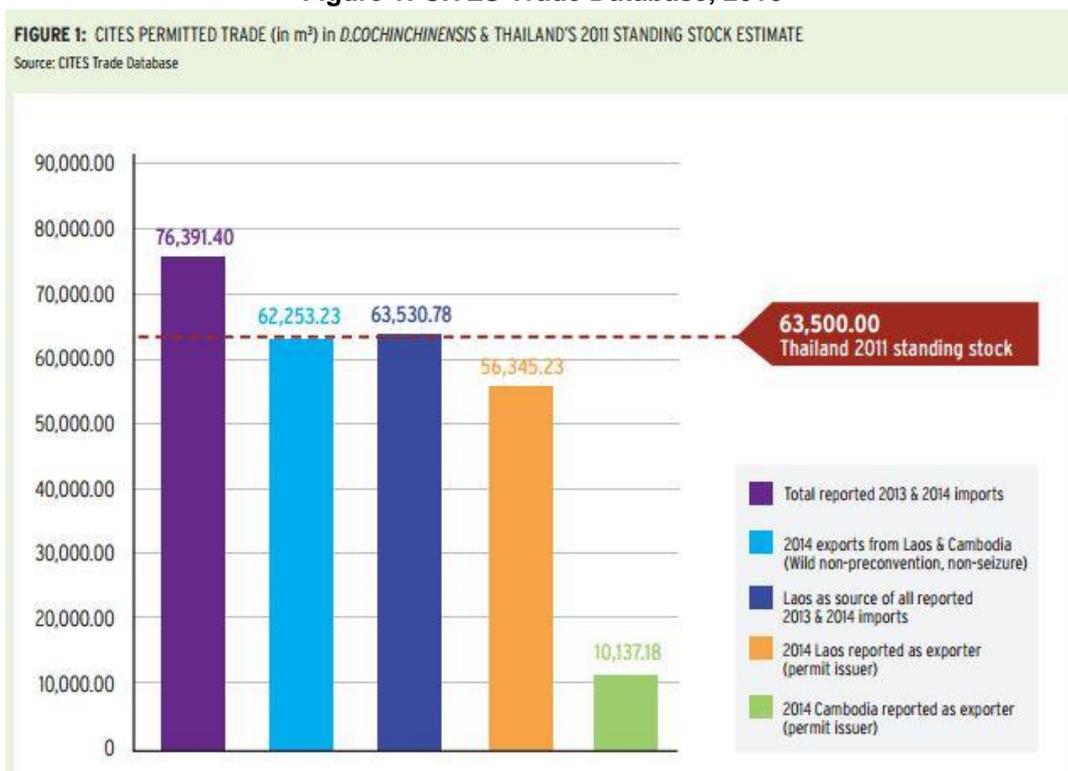
The Management Authority of Thailand has submitted this document. It proposes an amendment to the Appendix II listing of *Dalbergia cochinchinensis*, replacing annotation #5 covering logs, sawn wood and veneer sheets with annotation #4 so that all parts and derivatives are covered except (broadly) seeds, seedlings and tissue culture. Since its inclusion onto Appendix II CoP16,¹ trade in semi-finished products exempt under annotation #5 has flourished as a means to evade CITES control. EIA urges Parties to support this amendment to capture the greater portion of products found in trade that has shifted since the original assessment and listing proposal justifying #5 when listed in 2013.²

D. cochinchinensis is one of the most valuable of the 33-species listed on the Hongmu Standard – a formal list of ‘red wood’ tropical hardwood species recognised by their red hues and used for high-end reproduction furniture and crafts.

The only reliable standing stocks information for *D. cochinchinensis* from across its entire range was developed in Thailand in 2011 and is considered to be both the largest and only baseline for stocks in the wild. However, judging from seizure trends, it is likely that much of this estimated remaining stock of 80,000-100,000 trees has been harvested illegally in the past 5 years.³ No comprehensive national surveys have taken place in any other range state and no other country can claim it has comparable stocks.

Worryingly, data from the CITES trade database suggests that the equivalent volume as the remaining Thai stocks current as of 2011 has been traded by other *D. cochinchinensis* range states, Laos and Cambodia, since the listing was agreed and implemented in 2013. Imports recorded between 2013-2014 from Laos as the country of origin equated to for 63,530.78 m³ claiming 83 per cent of total imports for the period - more than the 2011 known stocks in Thailand (see Figure 1).⁴ Due to the scarcity of stocks it is likely that *D. cochinchinensis* from Thailand is being smuggled and re-exported with falsified permits from other range states.

Figure 1: CITES Trade Database, 2016



As the reported trade does not take into account the informal, illicit trade, it is possible that the level of trade since CoP13 is higher than documented here, notwithstanding reporting discrepancies. Experts working on *Dalbergia* in the Mekong basin reported to EIA that they “seriously doubt” that NDFs had been conducted in support of permits underpinning the trade as neither Laos nor Cambodia would reliably be able to estimate population sizes.⁵

Equally, research suggests that the majority of reported trade was not legally acquired due to the national bans and prohibitions on *D.cochinchinensis*.⁶ In June 2016, media sources quoted the CITES Management Authority of Cambodia confirming that they had issued no export permits for *D.cochinchinensis* since its inclusion on App II in 2013. A lack of evidence for NDFs and legal acquisition findings are further compounded by this omission from a range state MA, corroborating concerns that permits for *D.cochinchinensis* are highly likely to have been issued in violation of Article IV of the Convention and constitute a breach of the Convention.

EIA notes support for this proposal from the Plants Committee in COP17 Doc 10.3.1.⁷ Furthermore, in response to the Consultation with range states and stakeholders, the Thai Management Authority received support in April 2016 from the ITTO and Vietnam who also co-proposed the original listing of *D.cochinchinensis* onto CITES App II.⁸

EIA recommends that CITES Parties:

- 1) support the adoption of Prop.53 and accept annotation #4 for the App II listing of *Dalbergia cochinchinensis*;
- 2) recognize that this decision may have an adverse affect on look-alike and replacement species and support up-listings of other rosewood species on the *Hongmu* Standard, including but not restricted to *Dalbergia* species as per CoP17 Prop.55;
- 3) recognize that *D.cochinchinensis* warrants urgent action given the lack of NDFs and legal acquisition supporting the majority of this trade; and
- 4) include *D.cochinchinensis* in the Review of Significant Trade and request importing Parties to conduct additional verification on permits received.

II. SPECIES PROPOSAL - COP17 Prop.55 CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II - DALBERGIA GENUS SPP.

This document has been submitted by four proponents, all of which are range states of *Dalbergia* species; Argentina, Brazil, Guatemala and Kenya. EIA recommends that Parties support the proposal in this document to list all *Dalbergia* species in the genus onto Appendix II to better enforce CITES cover for *Dalbergia* species already listed on the Appendices and avoid identification issues.

Since the listing of multiple *Dalbergias* onto CITES Appendices (currently 58 species), customs and enforcement agencies have been confronted with challenges in identifying the listed species from the non-listed species. If successful, this proposal would curb avenues smugglers have thus far taken advantage of as it would not be possible to trade valuable CITES-listed *Dalbergia* specimens permit-free under the names of non-listed *Dalbergia* species.

EIA would also encourage Parties that are concerned by illegalities and loopholes driving the rosewood trade to also consider an increase in trade of *Pterocarpus* rosewood species as a look-alike/replacement species, and therefore, the necessity to extend CITES protection.

EIA recommends that CITES Parties:

- 1) support the proposal in Prop. 55 for a global genus listing for *Dalbergia* species;
- 2) adopt a decision requesting Parties to conduct population and trade research on *Pterocarpus* species that bear resemblance to CITES-listed *Dalbergias* and are increasingly vulnerable to exploitation if traded as look-alike/replacements; and
- 3) adopt a decision requesting Parties to consider the extent to which these *Pterocarpus* species also meet the criteria for Appendix II CITES listings on the basis that they are traded as replacement species.

III. SPECIES PROPOSAL CoP17 Prop.57 CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II – *Pterocarpus erinaceus*

This document has been submitted by Benin, Burkina Faso, Chad, Côte d'Ivoire, the European Union, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal and Togo.

Pterocarpus erinaceus (African rosewood, Kosso) – Benin, Burkina Faso, Chad, Cote d'Ivoire, the European Union, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal, and Togo – Include *Pterocarpus erinaceus* in Appendix II without annotation.

Pterocarpus erinaceus, also known as “African rosewood” grows in the fragile West African dry forests of Benin, Burkina Faso, Ghana, Guinea, Guinea Bissau, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, The Gambia, and Togo.⁹ The species is traditionally used for firewood, furniture making, and artisanal craft.¹⁰ The tree maintains its leaves during the dry season and for this reason it is harvested for sale in livestock markets as fodder and is widely used by local communities for medicine.

Due to its various local utilizations and despite the plasticity of the species, the first signs of overexploitation of the populations of *P.erinaceus* have been described in several countries in the region, including Benin, Burkina Faso, Ghana and Togo.¹¹ It is recognized that the populations have been seriously over-exploited.¹² However, many countries within the area of distribution do not have adequate information on the range, population and conservation status of the species.

In order to protect the species, many range states have listed *P.erinaceus* nationally as a protected species and have actively regulated the exports (see Table 1).

TABLE 1: Overview of the measures taken by some West African countries to regulate the trade of *P.erinaceus* and protect the species¹³

Country	Status of <i>P. erinaceus</i> exports	Status of <i>P. erinaceus</i> protection
Benin	No square logs allowed to be exported since 1993	The species is listed in the current Forest Code (published in 1993) as a protected species
Burkina Faso	Logs and timber exports are illegal since 2005	The species (along with 21 other woody species) is classified as protected since 2004
Ghana	Logs exports are illegal since 1994	To be determined
Guinea Bissau	Logs exports are illegal since 2014	-

Ivory Coast	Logs exports are illegal since 1995	To be determined
Mali	Export of unprocessed logs was banned first in 2000 and then in 2014	The species is listed in the current Forest Code (published in 1995) as a protected species
Nigeria	To be determined	The species is strictly protected in Taraba State.
Senegal	Export of unprocessed logs banned from Senegal (date to be determined)	The species is listed as “partially protected” in the current Forest Code (published in 1998)

Despite the vulnerability of the species and the high level of protection throughout its range, the species has in the laps of few years been the primary target of international traders in West Africa. Available information suggest that *P. erinaceus* was in 2015 one of the most traded species of Hongmu, in volume, at the international scale.¹⁴ Between the third quarter 2009 and the third quarter 2015, Chinese imports of Hongmu logs from West Africa increased by more than 2,000 times in volume.¹⁵ As a result, sparsely forested West Africa now exports more timber to China than the densely-forested Congo Basin.¹⁶ Though relevant Chinese trade data also captures small volumes of African ebonies (*Dalbergia melanoxylon* and *Dalbergia crassiflora*), nearly all of this increase is believed to be made up of *P.erinaceus*.¹⁷

As it has been the case for many other species, the fast growing trade flows associated with complex international routes and deficient forest governance has stimulated illegal practices at the logging, processing, transportation, declaration and export stages. Despite national export bans or log bans, China continues to record significant volumes of imports of rosewood logs from West Africa. The weight of evidence suggests that the majority of exports are illegal.¹⁸ Moreover, the illegal rosewood trade has helped fuel armed conflicts in several countries of the region, such as Senegal and Ivory Coast.¹⁹ The seizure of more than \$216 million US dollars in illegally harvested rosewood, principally *P. erinaceus*, which took place in nine West African countries, demonstrates the regional scale of the issue.²⁰

To address this issue, Senegal listed all the populations of the species on Appendix III of CITES (see Notification of the Parties No. 2016/008), which came into force from May 9, 2016. However, past experiences have demonstrated that Appendix III listing might not be sufficient to prevent the commercial extinction of rosewood species, when international well-organized trading networks are actively involved in illegal activities.²¹ EIA believes that the Appendix II listing will empower importing countries to assist range states by blocking shipments of illegally harvested and illegally traded wood, and make it easier to distinguish legal from illegal wood. In doing so, it can be expected to result in a significant reduction in illegal trade.

EIA recommends that CITES Parties support the transfer of *Pterocarpus erinaceus* from Appendix III to Appendix II, without annotation.

IV. CoP17 DOC. 55.2 - IMPLEMENTATION OF THE CONVENATION FOR TRADE IN MALAGASY EBONIES (*DIOSPYROS SPP.*) AND PALISANDERS AND ROSEWOODS (*DALBERGIA SPP.*)

At CITES CoP 16 in Bangkok (March 2013), CITES Member States supported strongly Madagascar’s request to up-list its populations of ebonies, palisanders, and rosewoods (*Diospyros spp.* and *Dalbergia spp.*) to Appendix II. Madagascar also agreed to an Action Plan (Dec. 16.152),²² which delayed the reopening in trade subsequent to completion of a set of actions by itself as well as supported by other Member States and the Secretariat. Over the past three years, the implementation of the Action Plan has been followed closely by the Plant Committee, Standing Committee and the Secretariat (see PC21 Doc. 18.3.1, PC22 Doc. 7.3.1, SC65 Doc 48.1, SC66 Doc.46.1). The CoP17 Doc. 55.2, prepared by the Secretariat, summarizes the level of implementation of the Action Plan, highlighting once again the lack of implementation of its core components, and proposes a revision of the Decision 16.152, aimed at facilitating the implementation of the Action Plan.

Following the Secretariat, EIA commends the progress made by Madagascar in the implementation of some of the activities included in the Action Plan, essentially those falling under the Scientific Authority's responsibility.

EIA deplores, as did the Stranding Committee at its 66th meeting (SC66),²³ the insufficient progress made in relation to the critical actions required to combat the illegal logging and related international trade in *Diospyros spp.* and *Dalbergia spp.* At this time, it would be devastating to consider an auction of existing stockpiles, reopening of trade or allowing fresh logging, all of which are part of Madagascar's submission to SC66.²⁴

The national stockpile inventory and marking operations, which finally began during the second half of 2015, have only been conducted on a fraction of the domestic stockpiles (less than 10%, according to available information).²⁵ Despite the critical importance of evaluating all three categories of domestic stockpiles in order to avoid the high risk of laundering, the inventory and marking operations have primarily focused on the seized logs. Reopening trade without prior comprehensive evaluation, marking, and safe storage of all three categories of stocks will incentivize new illegal cutting in protected areas.

The CITES Secretariat has received information on suspected illegal shipments of timber being exported from Madagascar and on the use of fraudulent CITES permits.²⁶ Malagasy civil society has repeatedly denounced the illegal trade in precious woods in since 2014.²⁷ Madagascar's failure to stop precious wood trafficking is also reflected in the approximate 40,000 logs seized outside of the island (China, United Republic of Tanzania, Singapore, Sri Lanka, Mozambique and most recently Hong Kong) since December 2013.²⁰

Current law enforcement capacity to control illegal logging and trade appears to be extremely low in the Grande Ile.²⁸ Financial and technical resources for all agencies involved are insufficient and inadequate. The "brigades mixtes," an inter-institutional enforcement team, set up in 2010 have been largely dismantled and have lacked the financial means to operate.²⁹ The system established in January 2014 to detect suspicious ships off the northeast and northwest coast of the island has only made one successful intervention. Several ships have been detected but all of them have escaped by the time the patrol boat arrived on the scene.³⁰

The Malagasy justice system has failed to play its critical role in laying the foundation for functional forest governance. While the recently established special court against natural resource trafficking is a potentially useful tool, its capacity to end the impunity in Madagascar remains to be proven. Twice in 2015, alleged timber barons were brought to justice as a result of the joint efforts by civil society and the Independent Anti-Corruption Bureau (BIANCO). However, in both cases, the accused were quickly released or paroled, despite strong evidence of illegalities.³¹ Prosecution has instead focused on a few small players.

The recent Malagasy government's decision to actively refuse to participate to the trial taking place in Singapore³² and therefore to help the Singaporean authorities to bring light on the authenticity and the origin of the official documents used to export 30,000 rosewood logs, while the international embargo was already in place, seems to once again indicate the lack of political will when it comes to prosecute high-level officials and timber barons.

EIA recommends that CITES Parties adopt a decision:

- 1) extending the trade suspension in *Diospyros spp.* and *Dalbergia spp.* until at least the 69th meeting of the Standing Committee (SC69), and until concrete results related to population status evaluation, comprehensive stockpile inventory, effective law enforcement and prosecution of timber barons is achieved;
- 2) taking decisive measures to ensure full compliance by Madagascar by considering a trade suspension of all Malagasy CITES-listed species from January 1, 2017, as per recommendation at SC66;
- 3) requiring the establishment of a Mandated Independent Monitor (MIM) from civil society and its participation at all stages in both the stockpile management and disposal process;

- 4) continuing the Wildlife Incident Support Team (WIST) operations in Madagascar, targeting rosewood mafia-like networks; and
- 5) encouraging Madagascar to systematically include palisanders species in all new regulations in order to avoid creating a loophole to facilitate illegal logging in *Dalbergia* spp.

V. CoP17 Doc. 62 – INTERNATIONAL TRADE IN ROSEWOOD SPECIES

EIA commend the submission of the document, prepared by the European Union, which outlines the soaring trade and subsequent exploitation of ‘rosewood’ species. Nevertheless EIA warns that the common use of the term ‘rosewood’ in order to refer to selected *Dalbergia* species is at the detriment of lesser-known *Pterocarpus* species also commonly found in international trade, in particular, the Chinese Hongmu timber trade. As only a selection of these species are covered by CITES, the species, especially those that bear physical similarities and attributes to CITES-listed species, face an increasing number of challenges. General information on the status of existing wild populations and extent of trade is often lacking despite successful listings of four *Dalbergia* species onto Appendix II at CoP16. Implementation of CITES controls and accurately identifying rosewood species is confounded due to the presence of a large number non-CITES listed look alike species.

At SC66, EIA launched a report titled *The Hongmu Challenge* on the increasing trends in trade of non-CITES listed species from a broader geographical reach to gratify demand in the Hongmu market. EIA found that as one species approached extinction a look-alike species was rapidly sought as a replacement ergo creating a boom-bust model as stocks of certain species depleted.

Currently, only seven of the 33-species listed on the Hongmu Standard are listed on the CITES Appendices.

TABLE 2: List of species on the *Hongmu* Standard³³

Species name	Common/trade names	CITES listing (year listed)
ASIA		
<i>Pterocarpus santalinus</i>	Red Sandalwood	Appendix II, ann #7 (2007)
<i>Pterocarpus cambodianus</i> *	Vietnamese Paduak, Th'nong	
<i>Pterocarpus dalbergioides</i>	Andaman Paduak, Andaman Redwood	
<i>Pterocarpus indicus</i>	Malay Paduak	
<i>Pterocarpus macrocarpus</i>	Paduak	
<i>Pterocarpus marsupium</i>	Malarbar Kino, Indian Kino Tree	
<i>Pterocarpus pedatus</i> *	Paduak, Th'nong	
<i>Dalbergia odorifera</i>	Huang Hua Li	
<i>Dalbergia cultrata</i>	Burmese Blackwood	
<i>Dalbergia fusca</i>	Black rosewood, Yinzat	
<i>Dalbergia latifolia</i>	Indian Rosewood	
<i>Dalbergia bariensis</i> **	Burmese Rosewood, Tamalan	
<i>Dalbergia cochinchinensis</i>	Siamese Rosewood	Appendix II, ann #5 (2013)
<i>Dalbergia oliveri</i> **	Burmese Rosewood, Tamalan	
<i>Diospyros ebenum</i>	Ceylon Ebony	
<i>Diospyros pilosanthera</i>	Bolong-eta	
<i>Diospyros poncei</i>	Ponce's Kamagong	
<i>Diospyros philippensis</i> ***	Kamagong	

<i>Diospyros discolor</i>	Kamagong	
<i>Millettia leucantha</i>	Sothon/Sathon (Laos)	
<i>Cassia siamea</i> ****	Siamese Senna	
AFRICA		
<i>Pterocarpus erinaceus</i>	Kosso, African Barwood/ Kino	
<i>Dalbergia melanoxylon</i>	Africa Blackwood	
<i>Dalbergia louvelii</i>	Violet Rosewood, Bois de Rose	Appendix II (2013)
<i>Millettia laurentii</i>	Wenge, Bokonge, Awoung	
<i>Diospyros crassiflora</i>	African Ebony, Gabon Ebony	
LATIN AMERICA		
<i>Dalbergia nigra</i>	Brazilian Rosewood	Appendix I (1992)
<i>Dalbergia spruceana</i>	Amazon Rosewood	
<i>Dalbergia stevensonii</i>	Honduras Rosewood	Appendix II, ann #6 (2013)
<i>Dalbergia cearensis</i>	Kingwood	
<i>Dalbergia frutescens</i>	Brazilian Tulipwood	
<i>Dalbergia granadillo</i>	Cocobolo	Appendix II, ann #6 (2013)
<i>Dalbergia retusa</i>	Cocobolo	Appendix II, ann #6 (2013)

Pterocarpus cambodianus* and *P. pedatus* are synonyms of *P. macrocarpus* ** *Dalbergia bariensis* is a synonym of *D. oliveri* * *Diospyros philippensis* is a synonym of *D. discolor* **** *Cassiasiamensis* is a synonym of *Sennasiamea*

EIA's *Hongmu Challenge* discovered that 75 per cent of the global Hongmu trade focused predominantly on three non-CITES listed species; *Pterocarpus erinaceus*, *Pterocarpus macrocarpus/pedatus* and *Dalbergia oliveri/bariensis*,³⁴ Parties to CITES need to recognise the trends underlining the exploitation of these species and support proposals that apply CITES controls.

EIA is encouraged by the holistic view in Doc 62 in recognising the global illegal trade in 'rosewood' species, with the inclusion of *Pterocarpus* species in addition to the more commonly regarded *Dalbergia* species.

EIA recommends that CITES Parties adopt a decision:

- 1) commissioning a study assessing the international trade on global rosewood populations with particular reference to species listed on the *Hongmu* Standard, highlighting non-listed species (of any family) found to be traded at a significant level and warrant listing onto the Appendices in addition to making recommendations for CITES-listed rosewood species which are traded without adequate CITES protection; and
- 2) directing Parties that play a key role in the *Hongmu* trade as either importers, exporters or re-exporters to provide species specific data of trade under HS code 44039930 in order to fully assess the extent to which non-CITES listed species are found in trade by volume, value and routes. Whilst this study should be made available no later than PC24, Parties should remain alert to options of unilaterally listing onto Appendix III any species that are traded significantly ahead of CITES CoP18.

VI. CoP17 DOC. 83.2 – REPORT OF THE ANNOTATIONS WORKING GROUP

This document has been submitted by the United States as Chair of the Standing Committee Working Group on Annotations. EIA recommends that Parties include the definitions of terms for annotations within the Appendices under the section on 'interpretation'.

Over the past few years EIA has investigated the ways in which annotations – especially pertaining to trade in valuable timber species - have been circumvented by traders to evade CITES controls, either out of an aversion to bureaucratic procedures or to knowingly smuggle species that are subject to tighter controls. One of many examples is the practice found in West Africa, whereby log export bans are circumvented by simply turning logs into “square logs”, which makes them a processed product.

EIA believes that due to an increase in trade of semi-finished and finished products, and in order to close loopholes that enable trade that is potentially detrimental to the survival of listed species, CITES control should in general extend to all forms and levels of processing of a given species. Specific annotations should only be added if there is evidence that trade in a listed species is non-detrimental to its survival and/or would be unduly restricted through CITES controls.

The inclusion of “finished products prepared and ready for retail trade” warrants consideration for CITES control, unless exempted by a specific annotation, to encourage enforcement of species restricted by annotations.

EIA recommends that CITES Parties adopt a decision directing the Standing Committee to continue the work and remit of the Annotations Working Group and that ‘interpretation’ of annotations is included within the Appendices.

¹ CoP16 Prop.60

² CoP16 Prop.60

³ CoP16 Prop.60 estimated 80,000 – 100,000 trees, equivalent to 63,500m³, remained in natural stands in Thailand, current as of 2011.

⁴ EIA (2016), *Red Alert: How fraudulent Siamese rosewood exports from Laos and Cambodia are undermining CITES protection*, p.2

⁵ EIA (2016) *Red Alert*, p.5

⁶ Bans in range states include; Laos’ 2008 Prime Ministerial Order No-17/PM, reinforced in 2011 with Prime Ministers Order No.010/PM; explicit protection under Cambodia’s 2002 Forestry Law No.35 with Priority 4 status on domestic endangered lists; Thailand’s 1989 Logging Ban.

⁷ PC22 Doc. Sum. 4 (Rev.1), p.3 confirms that the Plants Committee took note of the proposal to amend the annotation and supported its submission to the Conference of the Parties.

⁸ CoP17 Prop 53, p.3

⁹ CABI (2013), *The CABI Encyclopedia of Forest Trees*, Oxfordshire, UK.

¹⁰ Bonkougou, E.G., 1999. *Pterocarpus erinaceus: an important legume tree in African savannas*. FACT Sheet, FACT 99–03, Forest, Farm and Community Tree Network. Winrock International, USA.

¹¹ Glèlè, K. R. L. et al. 2008. Étude dendrométrique de *Pterocarpus erinaceus* Poir. des formations naturelles de la zone soudanienne au Bénin. *Agronomie africaine*, 20 (3) : 245-255. Ouedraogo, A., et al. 2006. Diagnostic de l’état de dégradation des peuplements de quatre espèces ligneuses en zone soudanienne du Burkina Faso. *Sécheresse*, 17 (4) : 485-491; Dumenu, W. K. and W. N. Bando. 2014. *Situational Analysis of Pterocarpus erinaceus (Rosewood): Evidence of Unsustainable Exploitation in Ghana?* First National Forestry Conference 16-18 September 2014; Kokou, K. et al. 2009. Impact of charcoal production on woody plant species in West Africa: A case study in Togo. *Scientific Research and Essay*, 4 (8): 881-893.

¹² <http://www.ville-ge.ch/musinfo/bd/cjb/africa/details.php?langue=en&id=62762>

¹³ Senegal, 2015. *Analysis of the international trade in Pterocarpus erinaceus and its consequences in West Africa*.

Information Document submitted at the Twenty-second meeting of the CITES Plants Committee, Tbilisi (Georgia), 19-23 October 2015.

¹⁴ China General Administration of Customs, 2016.

¹⁵ *Ibid.*

¹⁶ Lawson, S. (2015), *The Illegal rosewood boom in West Africa: How Chinese demand is driving conflict, corruption and human rights abuses*, Presentation to Chatham House Illegal Logging Stakeholder Update Meeting, 25th June 2015.

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