



environmental
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Illegal and Unsustainable: CITES Certified Rosewood Trade in Asia



Forest Legality Week, 17 October 2017

Washington DC

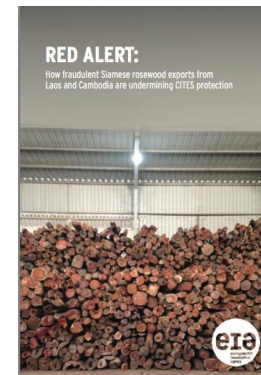
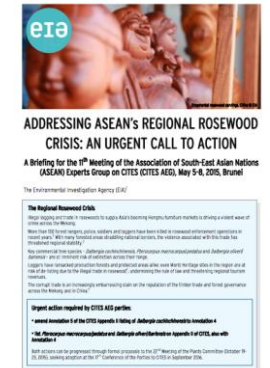
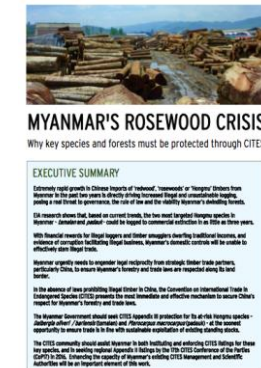
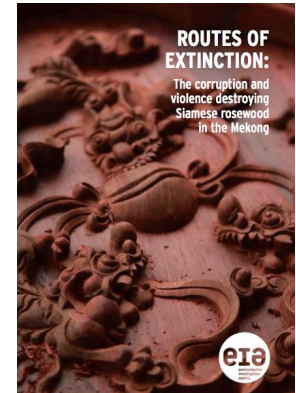
www.eia-international.org

Continuous research and rolling undercover investigations since 2011 focused on the most-traded Asian Hongmu species:

- Siamese rosewood (*Dalbergia cochinchinensis/cambodiana*)
- Burmese padauk (*Pterocarpus macrocarpus/pedatus*)
- Burmese rosewood (*Dalbergia oliveri/bariensis*)

Numerous published reports & briefings, confidential dossiers for governments & CITES officials, Inf.docs, films, etc, produced since 2012.

Companies in importing countries are the major drivers of illegal logging in these species.



CITES Permit Verification

- Legal Acquisition Findings are an obligation of exporting Party, but what happens when the MA does not or does not adequately assess legality before export?
- The Convention text places no obligation on importing Parties to ensure specimens are legally acquired – re-export permit issuers merely required to be “*satisfied*” import was compliant with the Convention.
- In Convention text, the existence of an export Permit is considered “evidence of legality” for importing Parties during “verification”.
- In 2013, China proposed verification reforms leading to Resolution Conf. 12.3 (Rev CoP16) on Permits and Certificates, requiring importing Parties to refuse import if they had “*reasons to believe*” illegal acquisition in exporting Party.
- Yet Resolutions not legally binding, and not implemented in some cases.



Case Study in Crime: *Dalbergia cochinchinensis* (App II, CoP16)

Prop60 CoP16 (March 2013): (Thailand & Vietnam)

- All range states ban harvest and trade.
- Extreme and increasing rarity across range – only Thailand has population estimate.
- Huge threat from illegal trade – no known legal trade due to prohibitions on logging.

China MA's Website Publishes Notifications:

May 2013: all range states have banned harvest and trade.

October 2013: Cambodia Foreign Ministry has informed China that species is “completely prohibited”, including exports.

Original language: English

CoP16 Prop. 60

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

A. Proposal

Dalbergia cochinchinensis is proposed for listing in Appendix II of CITES in accordance with Article II paragraph 2(a) of the Convention and Resolution Conf. 9.24 (Rev. CoP15) Annex 2 (a) Paragraph A.



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您当前的位置是 中国林业网 > 信息发布 > 生态建设 > 生物多样性 > 物种进出口 > 管理动态

国家濒危办关于濒危木材物种进口贸易管制的提示信息

中国林业网 <http://www.forestry.gov.cn/> 2013年05月16日 来源: 濒危办

【字体: 大 中 小】 [打印预览](#) [打印本页](#) [关闭窗口](#)

国家林业局政府网5月15日讯 《濒危野生动植物种国际贸易公约》(CITES) 第十六届缔约国大会(2013年3月2—14日, 泰国曼谷)通过了交趾黄檀(*Dalbergia cochinchinensis*)、微凹黄檀(*Dalbergia retusa*)、中美洲黄檀(*Dalbergia granadillo*)、伯利兹黄檀(*Dalbergia*

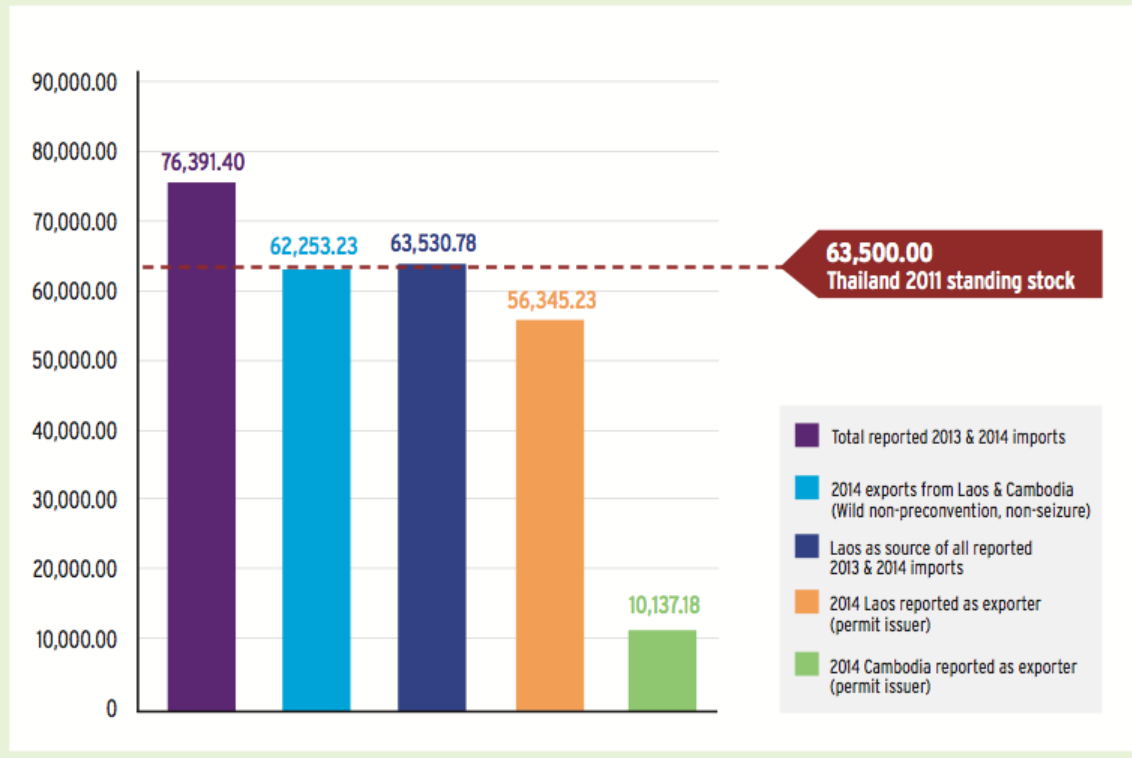
Mathematically Illegal & Unsustainable

CITES Trade Database: Jun 2013 – Dec 2014

China and Vietnam accepted CITES permits from Laos and Cambodia for a volume equivalent to the (only) known population of wild Siamese rosewood on earth.

FIGURE 1: CITES PERMITTED TRADE (in m³) in *D.COCHINCHINENSIS* & THAILAND'S 2011 STANDING STOCK ESTIMATE

Source: CITES Trade Database



RED ALERT:

How fraudulent Siamese rosewood exports from Laos and Cambodia are undermining CITES protection



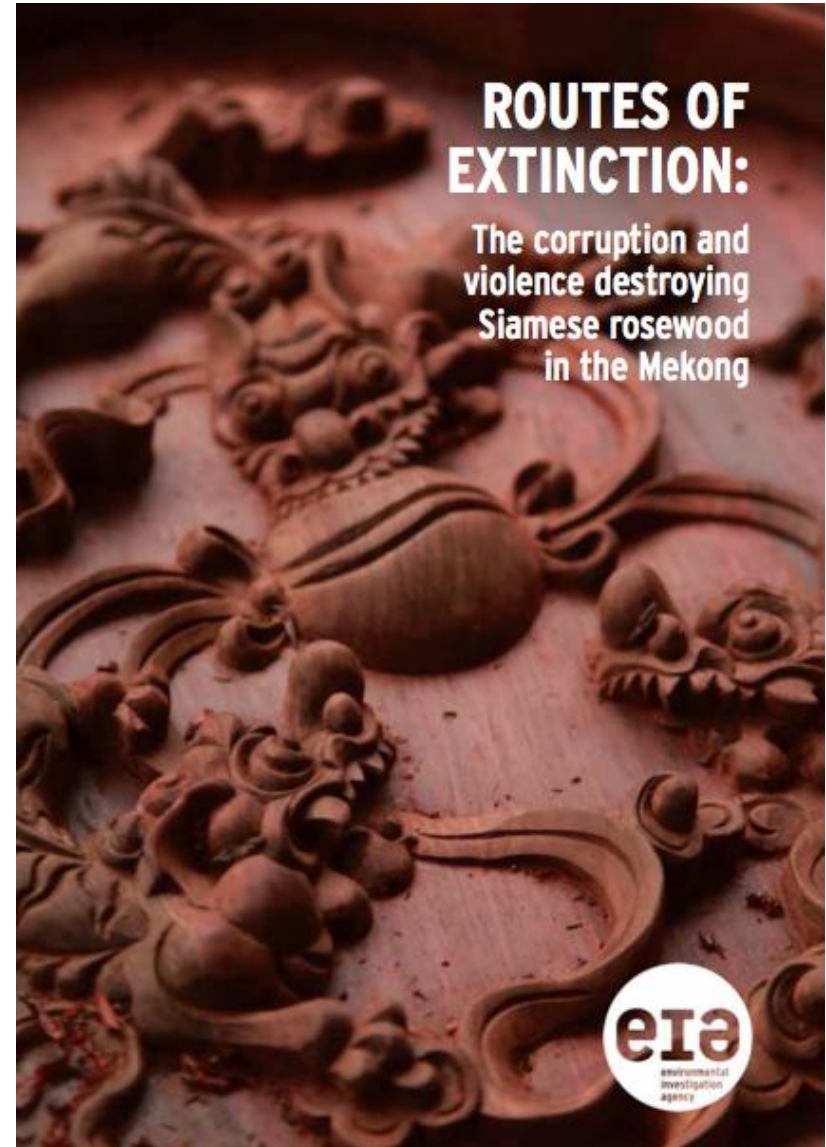
Siamese Rosewood Case: Few “Reasons to believe” in CITES Permits

- China & Vietnam say they verified all permits with Laos as the species is “priority 1” under their CITES regimes. Laos later placed under a Trade Suspension by CITES.
- Vietnam says it “verified” permits with Cambodia MA. Cambodian MA says all exports were illegal under fake permits. Cambodia/Vietnam trade is subject to ongoing Interpol investigation. Vietnam had “reasons to believe” Cambodian or Laos exports could not be legal: Prop 60 details laws prohibiting harvest, and Vietnam co-sponsored it.
- China willfully disregarded Cambodia’s G2G communication on “complete prohibition” (a clear “reason to believe” it should reject imports of specimens originating in Cambodia), in favour of Vietnam’s “Verification” of the permit with Cambodia – in an apparent violation of Resolution Conf. 12.3 (Rev CoP17), section Section II(5)(J).
- China argues it cannot reject “verified” permit without Notification from CITES Secretariat – despite no provision for this in the Convention or any other text.
- Not one stick traded was legitimate under CITES, or likely legal (all Laos permits violated the Convention, while no actual CITES permits were issued by Cambodia).

Laos: Violating the Convention

Legal & Sustainable Logging in Laos?

- World Bank's Panel of Experts' Reports on the Nam Theun 2 project repeatedly detail salvage loggers laundering Siamese rosewood from National parks and watershed protection forests.
- Electricite Du Laos (EDL) demands illegally logged Siamese rosewood as payment from villagers seeking connection to the national grid.
- EIA investigators offered Laos CITES export permits by traders in Shenzhen, China, for use against any specimens we wanted to attach them to. (evidence published in May 2014).
- 30% of CITES permitted trade in Logs – despite log export ban.





Update on Laos



- In 2016 EIA sought Trade Suspension on *D.coch* from Laos. Suspension came into force in February 2017 (Notif. No. 2017/012). Finished products were exempted.
- Laos must develop population surveys, NDFs, and Management Plan to lift suspension.
- In 2017 EIA recommended the extension of trade suspension to *D.oliveri*, and application to all parts and products for both species, as per annotation 4 (*D.coch*) and 15 (*D.oliveri*).
- A 2017 CITES Mission report (SC69 Doc.29.2.1.) confirms Laos has failed to undertake population surveys, a management plan or NDFs for *D.coch*, and recommends SC to maintain the trade suspension, and extend it to all parts and products.
- *D.Oliveri* not covered by a trade suspension.

CITES Compliance in Asia?

Dalbergia Cochinchinensis:

- No range state could legitimately issue an export permit: Only Thailand has population data, no country has done NDFs, all countries ban harvest and trade.

Dalbergia Oliveri:

- No range state could legitimately issue an export permit, other than for “pre-convention” sources: Only Thailand and Myanmar have population or status data, but neither understood to have an NDF in place.
- Concerns remain over major importing parties – Vietnam and China. Ongoing willingness to accept permits issued under questionable circumstances.
- Exhaustion of stocks / improved enforcement in Laos and Myanmar should reduce trade.



Unfinished Business: *Pterocarpus macrocarpus*

Pterocarpus macrocarpus (Burmese rosewood):

Most traded Asian Hongmu species

2014 – 740,000 m³ exported from 3 range states: China imported circa 216,000 m³ from Myanmar, 220,517 m³ from Laos, & 34,766 m³ from Cambodia. Vietnam imported 191,861 m³ from Laos & 74,152 m³ from Cambodia.

Justification for Appendix II listing is clear – but no range state has yet proposed a listing

At CoP17, Mexico and EU recommended the Secretariat commission a Study into unlisted rosewood species, including species within the *Pterocarpus* genus.

The proposal will be considered again at Standing Committee in late 2017.



