

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



Seventeenth meeting of the Plants Committee
Geneva (Switzerland), 15-19 April 2008

Timber issues

Bigleaf mahogany

PROGRESS REPORT ON THE IMPLEMENTATION OF THE ACTION PLAN FOR BIGLEAF MAHOGANY

1. This document has been prepared by the Secretariat.
2. At its 14th meeting (The Hague, 2007) the Conference of the Parties adopted an action plan for the control of international trade in bigleaf mahogany (*Swietenia macrophylla*) (see Decision 14.145 and Annex 3). This action plan states in paragraph 1 e) iv) that all range States should facilitate the making of non-detriment findings by:

submitting reports on progress in the implementation of this Action Plan to the Secretariat no later than 90 days before the 17th meeting of the Plants Committee, so that the Secretariat may include them in a report that it will present at that meeting.
3. The full version of Decision 14.145 on Bigleaf mahogany with its Annex is also included in Annex I to the present document for reference of the Committee.
4. With Notification to the Parties No. 2007/033 issued on 5 October 2007, the Secretariat asked Parties to submit such reports by 15 December 2007 so as to have sufficient time to collate and summarize the information in due time for the present meeting.
5. In order to facilitate the submission of these national progress reports, Mexico, as Chair of the Bigleaf Mahogany Working Group, prepared a questionnaire that addressed all tasks directed to range States in paragraph 1 of the action plan.
6. The Secretariat sent the questionnaire to range States on 5 November 2007. The information received by 15 December is summarized in paragraphs 7 to 31.

Secretariat's report

7. The following range States had reported by the time of writing this document: Bolivia, Brazil, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Saint Lucia and Venezuela.
8. The following range States reported that they had suspended exports: Costa Rica, Colombia (only some regions have suspended the exploitation of bigleaf mahogany), Nicaragua, and Venezuela.
9. The Secretariat presents below a summary of all received reports addressing matters mentioned in the action plan on mahogany.

10. National synergies: in response to the question of whether range States have formally and specifically established inter-institutional committees whose membership includes competent scientific organizations, in order to support Scientific Authorities 4 of the 10 range States that responded answered positively.
11. The membership of these committees varies but they mostly comprised Universities, NGOs, producers, research institutes and civil associations. These stakeholders support the work of the Scientific Authority in many ways but mainly through integration of technical information, taking decisions, discussing the making of non-detriment findings, participation in and coordination of workshops, etc.
12. Those that reported not currently having such inter-institutional committees explained that other committees exist to support the work of the Scientific Authority, although not having been formally established to do so. Bolivia and Honduras reported that were in the process of establishing specific inter-institutional committees as directed by the action plan on mahogany.
13. Sawn timber yields: Three of the range States that reported have not conducted studies on sawn timber yields from logs, or on the height-diameter ratio. The other countries have conducted surveys one or both elements. Most of them apply sawn timber yields from logs, and height-diameter ratios to the volumes extracted from the forest and taken to the forestry industry. With the exception of Guatemala, which counts on yield factors to a national and a local level, all the States apply these factors to a local scale only. Brazil for example applies these elements when analysing a request for approval of a management plan for mahogany; it currently has one management plan that has met all technique requirements for its approval. Nicaragua plans for 2008 to apply factors of volumetric conversion of standing trees to exportable mahogany sawn wood (see document PC17 Doc. 16.1.4).
14. Reporting: Range States foster forest management of the bigleaf mahogany through a variety of processes including capacity building, economic incentives, subsidies, authorization and monitoring of forestry plans, and national reforestation strategies.
15. All reporting range States except Colombia and Honduras have undertaken studies on ecology and or growth rate of mahogany. However, some mentioned that it is difficult to undertake such studies on a regular basis.
16. Paragraph 8 mentioned range States that are currently applying a suspension of exports of mahogany. All other countries report that they validate or verify the information provided by forest users although not all engage in field verifications mainly because of a lack of resources.
17. Technical standards: Colombia and Saint Lucia are the only range States that have reported not having special treatment for mahogany in technical standards for forest management plans. Saint Lucia explains that mahogany occurs only in very small plantation stocks and therefore standard conversion procedures are applied, it did not elaborate further on which kind of procedures it is referring to.
18. Other range States establish minimum cutting diameters. Undertake censuses of trees below cutting diameter; establish a percentage of remaining standing trees or develop exploitation techniques. Others address the challenge of regeneration. Brazil further explains that it has special treatment in technical standards for forest management plans that use reforestation with mahogany, training of the field operators, control of the chain of custody, planning of forest roads considering the lower impact during construction. Brazil is the only range State mentioning the importance of preservation of the 20% commercial trees as seed trees in order to preserve the forest.
19. Non-detriment findings: Colombia and Saint Lucia reported not having forest management plans adopted and implemented with technical specifications for mahogany. Although Bolivia, Venezuela and Costa Rica explained (see paragraphs 18 and 19 above) that they do have special treatment for mahogany in technical standards for forest management plans, they report not being undertaking management plans with technical specifications for mahogany. This may seem an inconsistency of the reporting although Bolivia explained that it has been developing specific standards for mahogany and it may be doing so in order to implement management plans in the future. The same applies to Venezuela. Finally, Costa Rica does not elaborate on why it reports having special treatment for

mahogany in technical standards for forest management plans when it does not have any management plan being implemented.

20. Honduras is in the process of developing these plans, and Brazil, Mexico, Nicaragua, and Guatemala do have them. While Honduras and Saint Lucia reported to have finished their national inventory, Nicaragua is in the process up to a 50% finished and other range States like Brazil, Mexico and Venezuela have undertaken these to a plot level. Bolivia and Guatemala are in the process of doing inventories. Colombia and Costa Rica report not having or planning them.
21. Considering range States that reported management plans, most of them reported not having estimation of seed production and reserve trees for future harvests as specific elements. These two are key elements of a management plan and should be in future considered and included in the plans of all range States.
22. All reporting States except Colombia and Mexico have reported various capacity-building activities at a local, regional, national, and international level. For more information about these, the Committee may want to refer to Annex 2 to this document that comprises all national reports in the language in which they were submitted.
23. Most Parties have not yet established working groups. However, some have established these at local, regional and national levels.
24. The Bigleaf Mahogany working group: the action plan to Decision 14.145 on Bigleaf Mahogany mentions briefly the role of the working group on this species and it does not comment on any tasks directed to it. This action plan says as follows:

The countries members of the Bigleaf Mahogany Working Group should ensure the presence of their representatives at meetings of the Working Group, as well as the presence of at least one of the representatives of the Plants Committee from the range States.

25. Although this part of the action plan can be interpreted as if the working group will meet more than once, it does not direct it to organize such meetings. The action plan further explains that the working group will continue working under the surveillance of the Plants Committee but it does not further elaborate on the terms of reference of the group for this intercessional period until CoP15.
26. The Secretariat therefore would like to bring this to the attention of the Committee so it can decide on the work that this working group may undertake at least until the 18th meeting of the Committee.
27. Legal origin: Paragraph 2 (b) of Article IV of the Convention requires that a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora as a condition for issuing an export permit. This requirement is known as the legal acquisition finding. To comply with this requirement, it is the obligation (depending on national laws) of an applicant to provide information that will satisfy the Management Authority that the relevant specimens were legally acquired. The Management Authority of the State of export must assess the information provided and determines whether it was acquired in accordance with national laws. Such assessment should be directed beyond the issue of how the applicant came into the possession of the specimens to the issue of how the specimens were first acquired, i.e. their removal from the wild.
28. It is also important to note the wording of Resolution Conf. 12.3 (Rev. CoP13) (Permits and certificates), Section II, RECOMMENDS f), where it is recommended that: *Parties not authorize the import of any specimen if they have reason to believe that it was not legally acquired in the country of origin.*
29. It appears that difficulties in relation to the legal acquisition of specimens of mahogany to be exported from certain range States, and the associated issuance of export permits, have now existed for some time and the Secretariat believes that this matter should be further discussed at the 57th meeting of the Standing Committee.

30. Regional strategy: Decision 14.145 further addresses the need for range States of adopting a regional strategy. It says that: *Bigleaf mahogany range States, in cooperation with importing countries and international organizations, should develop a regional strategy with timelines to address: non-detriment findings, legal origin, and compliance and enforcement issues. The strategy should include the 15 recommendations made in the report of the BMWG (document PC16 Doc. 19.1.1) and mechanisms to ensure adequate implementation and enforcement. Progress on implementation should be reported to the Secretariat 90 days before the 18th meeting of the Plants Committee.*
31. Countries have not reported any activity regarding their future planning of a regional strategy. According to the action plan on mahogany this matter will need to be discussed at the 18th meeting of the Committee.
32. Trade from the Dominican Republic: Following the recommendation adopted by the Plants Committee at its 16th meeting (Lima, July 2006) regarding the high volume of imports into the Dominican Republic, the Secretariat sent a letter on 15 August 2006 to the national authorities of that country requesting clarification on the volumes of mahogany from the wild or cultivated plantations imported by the Dominican Republic in 2004, 2005 and 2006, as well as the documentation accompanying those shipments. The Management Authority responded on 31 May 2007 explaining that the confusion originated in their interpretation of the different units of measure (i.e. cubic meters and "pie tablar") and the conversion factor used. They provided detailed statistics for the three years and announced that this issue will be discussed during a sub-regional meeting held in Nicaragua in August (August 2007). Given that the Dominican Republic is a major importer of mahogany and appears to be an important transit country, the compliance and enforcement details of this investigation will be discussed at the next meeting of the Standing Committee (SC57).
33. Fund-raising: The Secretariat has approached potential donors to obtain financial support for the implementation of activities related to this agenda item. The European Union may provide some additional funds in the context of a project proposal to implement several CITES decisions and the Secretariat hopes that funds made available throughout the free trade agreement between Peru and the United States may be also allocated to the implementation of mahogany-related activities in Peru. Furthermore, the CITES Secretariat partnered with the International Tropical Timber Organization (ITTO) in 2007 to secure a 3-million euro grant from the European Commission for a project designed to improve countries' capacity to implement CITES for certain key species, including bigleaf mahogany.

Summary

34. The Committee is invited to analyse the report on progress made in implementing the Action Plan for Bigleaf Mahogany and discuss a way forward to implement the tasks directed to it by Decision 14.145 (see these in Annex 1).
35. The Secretariat draws attention in particular to its comments in paragraphs 21, 25, 26, 31 and 36.
36. The Committee is invited to review the need to include the species in the Review of Significant Trade.
37. The full version of country reports received by 15 December 2007 and by the deadline of 90 days for submission of documents to be considered at PC17 (15 February 2008) is available in Annex 2 to this document, in the language in which they were submitted.

BIGLEAF MAHOGANY

14.145 The Conference of the Parties adopted the 'Action plan for the control of international trade in bigleaf mahogany (*Swietenia macrophylla*)', attached as Annex 3 to these Decisions.

Annex 3**Action plan for the control of international trade in the bigleaf mahogany (*Swietenia macrophylla*)**

1. All range States of the bigleaf mahogany should:
 - a) promote national synergies among the producing countries by establishing formally and specifically inter-institutional committees whose memberships include competent scientific organizations, in order to support Scientific Authorities;
 - b) perform studies of the sawn timber yields from logs, and on the height-diameter ratio, in order to improve management of and control over bigleaf mahogany timber;
 - c) foster forest management of the bigleaf mahogany in the region and validate or verify the reports submitted by forestry users, including periodic studies on ecology and growth dynamics;
 - d) examine the possibility of giving CITES species special treatment in technical standards for forest management plans that use census-taking of diameters smaller than the minimum cutting size in order to determine stocks of remaining trees, the setting of minimum cutting diameters, the percentage of remaining trees that should be left and harvesting techniques; and
 - e) facilitate the making of non-detriment findings by:
 - i) preparing, adopting and implementing, as a priority, forest management plans at a national and/or local levels that include specific requirements for the bigleaf mahogany, as outlined in the results of the International Workshop of Experts on Non-Detriment Findings on Bigleaf Mahogany held in Cancun (April 2007) (see document CoP14 Inf. 24) after its endorsement and adoption by the Plants Committee;
 - ii) developing and conducting forest inventories that enable specific identification and data analysis of the bigleaf mahogany, as well as programmes to monitor the distribution, population size and conservation status of the bigleaf mahogany, based on the results of the International Workshop on Non-Detriment Findings on Bigleaf Mahogany, after its endorsement and adoption by the Plants Committee, and incorporating the three basic requirements for non-detriment findings highlighted in document MWG2 Doc. 7, paragraphs 44 a) to c);
 - iii) implementing capacity-building programmes in monitoring and management, specifically related to the understanding and application of CITES requirements. This activity might also involve assistance from the Plants Committee and the Secretariat;
 - iv) submitting reports on progress in the implementation of this Action Plan to the Secretariat no later than 90 days before the 17th meeting of the Plants Committee, so that the Secretariat may include them in a report that it will present at that meeting; and
 - v) establishing working groups at the national, subregional and regional levels to implement the present Action Plan.

2. The countries members of the Bigleaf Mahogany Working Group should ensure the presence of their representatives at meetings of the Working Group, as well as the presence of at least one of the representatives of the Plants Committee from the range States.
3. Parties and international organizations should stress the importance of not authorizing any export without proof of legal origin of the timber. Importing countries should refuse mahogany shipments accompanied by CITES export permits issued under a court order, unless the importing country can confirm that a non-detriment finding has been made by the Scientific Authority of the country of origin.
4. Bigleaf mahogany range States, in cooperation with importing countries and international organizations, should develop a regional strategy with timelines to address: non-detriment findings, legal origin, and compliance and enforcement issues. The strategy should include the 15 recommendations made in the report of the BMWG (document PC16 Doc. 19.1.1) and mechanisms to ensure adequate implementation and enforcement. Progress on implementation should be reported to the Secretariat 90 days before the 18th meeting of the Plants Committee.
5. The Standing Committee shall discuss compliance and enforcement with regard to the bigleaf mahogany at its 57th, 58th and 59th meetings, and recommend appropriate action.
6. The Plants Committee shall:
 - a) be the body under which the Bigleaf Mahogany Working Group shall continue its work. The Working Group shall primarily comprise the range States of the species, the main importing countries and at least one member of the Plants Committee;
 - b) analyse at its 17th meeting the reports presented by the range States and progress made in implementing the present Action Plan directed to Parties, and review the need to include the species in the Review of Significant Trade;
 - c) discuss and examine at its 18th meeting the progress made with the implementation of the regional strategy; and
 - d) submit a report at the 15th meeting of the Conference of the Parties on the progress made by the Working Group.
7. The Secretariat shall investigate the high volume of mahogany imports taking place in the Dominican Republic.
8. Importing and exporting Parties, the CITES Secretariat and intergovernmental and non-governmental organizations should seek ways to share information through the organization of regional workshops, capacity-building programmes, the exchange of experiences and the identification of financial resources to support exporting countries in their activities, training, studies, and capacity building. Amongst others, support in the form of funding for such capacity-building activities should be sought from bigleaf mahogany importing and exporting industries.