

CITES Legal Acquisition Findings

IMPLICATIONS FOR NEWLY LISTED TIMBER SPECIES

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Roadmap

- New listings & requirements for export
- Legal Acquisition Challenges
- CoP17 decisions and next steps



Overview of CoP17 Timber listings

- Parties approved by consensus Appendix II listings in September 2016
 - *Dalbergia* genus (~300 species)
 - *Pterocarpus erinacious*
 - Three *Gibourtia* species
- January 2, 2017 entry into force

CITES requirements for export

- Non Detriment Finding (NDF)*
 - Scientific Authority satisfied the export of the specimen will not be detrimental to the long term survival of the species
 - NDF Guidance exists and details the steps and information the Scientific Authority should evaluate in making an NDF
 - Most of the newly listed timber species do not have NDFs
 - Funding from the EU for the CITES Trees Program, including NDFs

CITES requirements for export

- Legal Acquisition Finding
 - Management Authority in the country of export satisfied the specimen was not obtained in contravention of the laws for the protection of fauna and flora
 - CITES Secretariat: “The word ‘obtained’ refers to the series of steps – and not only to the last of these - by which a specimen is brought from its source (place of origin) and becomes the possession of the exporter.”
 - No CITES guidance

Legal Acquisition Issues

Highlighted by Secretariat for CoP17:

- No CITES LAF guidance
- Many countries lack regulations
- Inconsistent application of the requirement by MAs
- Secretariat does not have the mandate, capacity, or funding to review permits for compliance with LAF



CoP17 LAF Decisions and next steps

- Secretariat to develop LAF guidance for consideration by Standing Committee
- 13-15 June 2018 workshop in Brussels
- parties should share info with Sec 90 days before workshop
- proposal for further guidance for consideration by 70th Standing Committee in fall 2018, including a draft resolution on legal acquisition findings for consideration at the 18th meeting of the Conference of the Parties.

CONCLUSIONS

- Countries may be exporting unsustainable levels of CITES-listed species without adequate legality verification
- No certainty for importers that timber has been legally harvested in the absence of verifiable LAF and NDF
- LAF Guidance for Parties is needed if CITES permits