

## SPOTLIGHTS

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# CITES must urgently take the steps to save Madagascar's unique species of rosewood and ebony

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## ABSTRACT

This contribution is an open letter to all CITES Management and Scientific Authorities, which is signed by all of the co-authors. As CITES convenes its 19th Conference of the Parties in November 2022, some of the largest seizures in history of illegally harvested CITES-listed species are poised to be handed back to the criminals who smuggled them out of Madagascar. Nearly 40,000 rosewood logs were illegally exported from the country in 2014, in clear violation of CITES and national embargos, as explicitly declared in Notices issued by the CITES Secretariat. The logs were seized by Singapore, Kenya, and Sri Lanka, but as a result of both passive and active interference from various Malagasy officials and aggressive use of these countries' national court and political systems, orders have now been issued for the logs to be returned to the smugglers. Release of this wood would have catastrophic consequences for the future sustainable management of Madagascar's remaining rosewood and ebony resources. We propose five essential steps that should be taken at the upcoming CITES CoP 19 in Panama to prevent this from happening.

## RÉSUMÉ

Cette contribution est une lettre ouverte adressée à toutes les instances scientifiques et de gestion de la CITES, qui est signée par tous les co-auteurs. Alors que la CITES convoque sa 19e Conférence des Parties, en novembre 2022, plusieurs saisies importantes, les plus volumineuses de l'histoire dans un cas, d'espèces inscrites à la CITES et exploitées illégalement sont sur le point d'être rendues aux criminels qui les ont fait sortir clandestinement de Madagascar. Près de 40 000 rondins de bois de rose ont été sortis en contrebande de Madagascar en 2014, en violation flagrante de la CITES et des embargos nationaux, comme le déclare explicitement les avis émis par le Secrétariat de la CITES. Ces

rondins de bois de rose ont été saisis par les autorités douanières de Singapour, du Kenya et du Sri Lanka, mais suite à une ingérence active et passive de divers fonctionnaires du gouvernement de Madagascar et un usage agressif des systèmes judiciaires et politiques nationaux des pays dans lesquels les saisies ont eu lieu, l'ordre a maintenant été donné de restituer ces rondins aux contrebandiers. Nous énumérons ici cinq mesures essentielles qui doivent être prises lors de la prochaine CdP 19 à Panama pour empêcher que cela ne se produise.

## THE LETTER

The illegally exported rosewood (*Dalbergia* spp.) and ebony (*Diospyros* spp.) logs harvested in Madagascar and seized by authorities in Kenya, Singapore, and Sri Lanka in 2014 (Butler 2014, CITES 2022a, EIA and TI 2022) highlight a major weakness in CITES enforcement and its ability to control trade that is detrimental to species (Figure 1). While arrests are up, the likelihood of confiscation or successful prosecution is limited. It is much less risky to traffic in rare and endangered species than to engage in gun, drug, or human trafficking (Nellemann et al. 2014, Interpol 2021). In order to be effective, CITES must ramp up the penalty provisions of its model legislation and regulations to significantly raise the stakes for the criminal syndicates that are undermining the Convention's effectiveness. The CITES Secretariat must be provided with both the mandate and resources to assist countries that have seized material of listed species so they can prosecute criminals engaged in illegal trafficking and ensure that the punishments are as severe as those for other international smuggling crimes (imposing meaningful periods of imprisonment and severe fines, along with confiscation of seized animals, plants, and/or their parts).

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<http://dx.doi.org/10.4314/mcd.v17i1.2> // **Early View**

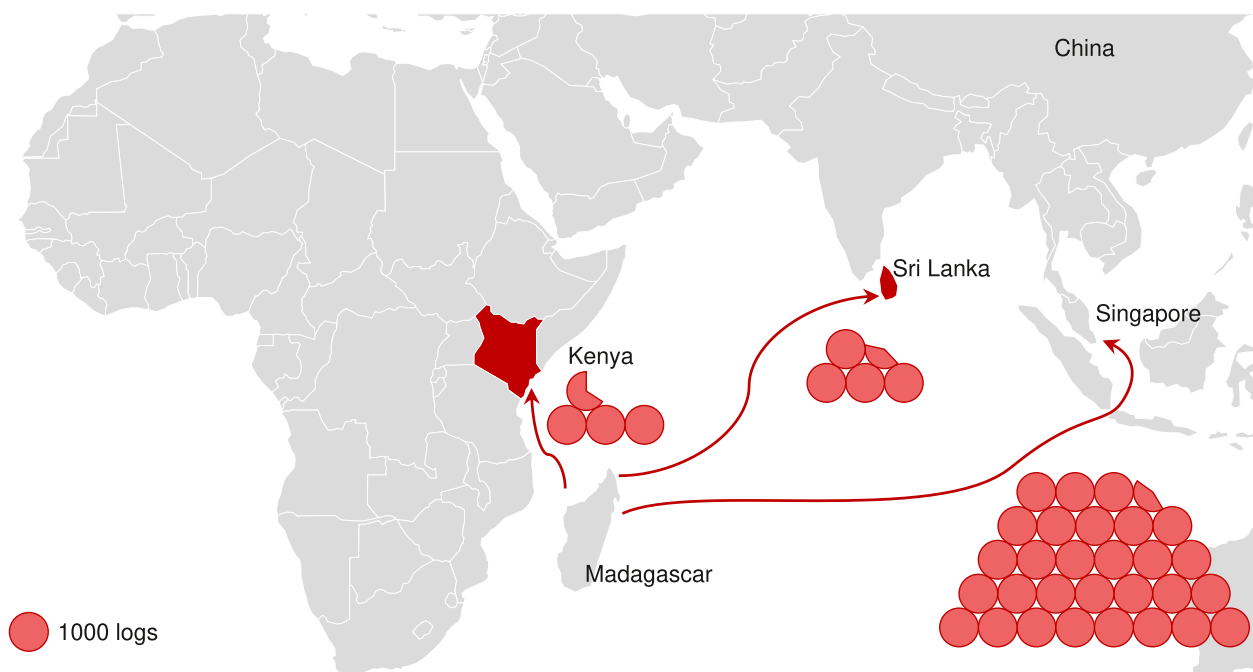


Figure 1. Rosewood stocks seized in 2014

In addition to the material seized in Kenya, Singapore, and Sri Lanka, Madagascar has proposed to take possession of the ca. 30,000 logs in the official stockpiles of rosewood and ebony still in the country, removing them from CITES jurisdiction based on the proposal that the wood will be used to restore public buildings and to make “handicrafts” weighing no more than 10 kg to be sold exclusively to domestic tourists (CITES 2017, Wilmé et al. 2020). But this plan contains no information on how wood supposedly designated for use in public buildings will be identified and tracked. Moreover, there is no clear plan on how the logs will be managed to prevent yet another wave of illegal trade being unleashed, as has happened time and again in the past (Randriamalala and Liu 2010, Wilmé et al. 2020). There is a very real risk that implementation of the proposed plan will reignite Madagascar’s dormant laundering mechanisms, sealing a very different fate for the massive stockpiles of rosewood and ebony hidden in plain sight throughout the country.

Because the official stockpiles have never been properly audited and secured, it will be an easy matter to claim that a significant portion were “discovered” in “undeclared” and “hidden” stockpiles. This will once again trigger a new rush to illegally harvest and export Malagasy rosewood and ebony species, including many that are already threatened with extinction. Even legal trade would put many species of *Dalbergia* and *Diospyros* at further risk of extinction (Lowry et al. 2022, Phillipson et al. 2022).

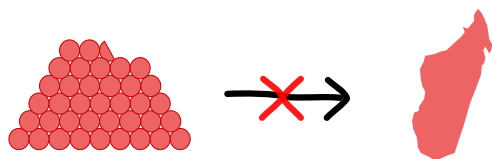
In conjunction with the placement of all Malagasy rosewood and ebony on CITES Appendix II in 2013, an Action Plan was adopted outlining the steps that would be needed to demonstrate that proposed trade of certain species would not be detrimental to their survival and to produce identification tools for monitoring and controlling trade (Mason et al. 2016). The CITES Intersessional Advisory Group has supported the implementation of the Action Plan, but it is far from being fully achieved. While significant progress has been made in clarifying species limits in both *Dalbergia* and *Diospyros* and in developing reliable tools to identify standing trees prior to harvest, methods for the identification of logs, cut wood, and finished products, critical for effective man-

agement and control, are still being developed (Waeber et al. 2019). Likewise, Madagascar’s forestry sector has very limited experience with sustainable management practices, which will be required both to ensure that only limited quantities of appropriate species are harvested (and that threatened species are prohibited from exploitation) and that concessions are conserved and well managed for decades until the resource has been replenished—all of which will be essential if Madagascar is to achieve its stated goal of achieving sustainable and equitable exploitation of its precious woods.

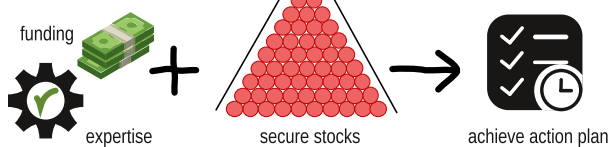
At the upcoming CoP 19 (14–25 November 2022), CITES Parties, along with the Governments of Madagascar, Singapore, Kenya, and Sri Lanka, must do the following (Figure 2):

1. Prevent the approximately 40,000 logs of Malagasy rosewood (*Dalbergia* spp. Fabaceae) and ebony (*Diospyros* spp. Ebenaceae) seized in Singapore, Kenya, and Sri Lanka (Figure 1)—hereafter referred to as “precious wood”—from being returned to the smugglers who illegally exported them from Madagascar in 2014.
2. Fund and provide the expertise needed to implement all of the elements of the 2013 Madagascar Rosewood and Ebony Action Plan, including identifying species, auditing and securing all in-country stockpiles of rosewood and ebony, conducting non-detrimental findings, and improving forest governance to protect the remaining rosewood and ebony trees.
3. Extend and expand the mandate of the Intersessional Advisory Group to aid in the full implementation of all of the elements of the 2013 Action Plan and to formulate disposal plans for the seized logs and stockpiles that will not be detrimental to the survival of the Malagasy species of rosewood and ebony.
4. Take immediate steps to halt ongoing illegal harvest of precious wood in Madagascar, which often goes unreported, in part due to the economic situation resulting from the COVID-19 pandemic and resulting enforcement vacuum.
5. Reject the Malagasy government’s plan to use any stockpiles of rosewood and ebony logs, including those that are “officially controlled”, for domestic purposes until the 2013 Action Plan

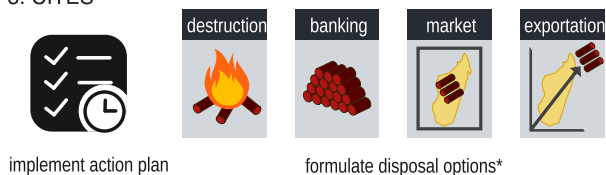
1. Kenya, Singapore, Sri Lanka



2. Madagascar



3. CITES



4. Madagascar



5. CITES

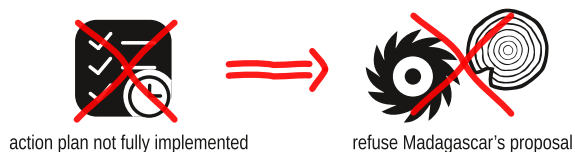


Figure 2. CITES Parties, and the Governments of Madagascar, Singapore, Kenya and Sri Lanka must fulfill their acts to stop illegal trafficking of rosewoods and ebonies. (\* see Wilmé et al. 2020 for details)

has been fully implemented and any such use can be conducted in a manner that is demonstrably not detrimental to the survival of the Malagasy species of rosewood and ebony.

Madagascar is one of the planet's richest biodiversity hotspots, but while the world stands by idly, illegal and unsustainable logging of rosewood, ebony, and other sources of precious wood continues unabated in habitats that are critical for thousands of animal and plant species found nowhere else on Earth.

We ask for broad support to establish a CITES working group to address each of these issues, which should be empowered to amend the Draft Decisions (CITES 2022b,c) on Madagascar rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.) so that all these actions are formally adopted.

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