

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

Twenty-third meeting of the Plants Committee
Geneva, (Switzerland), 22 and 24 - 27 July 2017

Specific species matter

INTERNATIONAL TRADE IN ROSEWOOD SPECIES

1. This document has been submitted by the European Union (EU)* in relation to PC23 Doc. 22.2 on international trade in rosewood timber species. While this document does not reflect the official position of the EU nor of its Member States, it is believed that this document usefully presents the views of certain representatives of the private sector.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

English version

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Twenty-third meeting of the Plants Committee in Geneva (Switzerland)
22nd and 24-27th July 2017

Information document on *Dalbergia* spp.

This document has been prepared by the Chambre Syndicale de la Facture Instrumentale (CSFI)

Since the entry into force on January 2nd, 2017 of the listing of *Dalbergia* spp. in CITES Appendix II, the manufacturers of musical instruments of the whole world have to face an unprecedented and highly alarming situation. The first quarter of 2017 showed a 20% decrease in sales of musical instruments containing *Dalbergia* wood around the world. This decrease is directly connected to the entry of the musical instruments in the CITES permits and certificates system.

Since January, the professionals of the musical instruments of the whole world were able to share their experiences and their impressions during various international fairs - such as Namm Show in the United States in the end of January 2017 or MusikMesse in Frankfurt in April - and look for solutions to ally protection of the species and international trade. In Europe, manufacturers' associations of various countries, as the CSFI itself, gathered around the CAFIM (Confederation of the European Music Industries). Ties were also created with manufacturers of musical instruments in the United States and in Japan (Taylor, Yamaha...) and with musicians and artists associations (Pearle...).

List of the problems encountered since January 2nd, 2017

- Differences of interpretation and implementation of the #15 CITES annotation between the European Union and the rest of the world, between the European Member States, as well as between some Parties' Management Authority and Enforcement Authority. In spite of the publication of a "Questions and Answers" document prepared by the European Commission to attempt to specify the conditions of application of the regulation, it seems that certain points are still subject to differences of opinion regarding interpretation. It is necessary to note that, at the same time, the United States also released a similar note with different interpretations on certain points.
- A great difficulty for the companies to get explanations on how the regulation applies in each country.
- An administrative congestion within the CITES Management Authorities as their workforce was not increased despite the large inflation of work and procedures they have to deal with. This leads to delays to obtain CITES documents not always compatible with commercial requirements.
- Retained shipments by customs services because of:
 - documents inappropriately filled in by customs services

- losses of documents by transporter companies
- transporters who do not want to compel with these administrative complications
- inappropriate demands or decisions of custom officers who misinterpret the CITES texts

All these difficulties lead to high and impossible to plan extra costs for the companies and completely random issuing delays, which are highly detrimental for their exports and their customers relationships.

The musical instruments makers and the tropical woods

Unlike other industries choosing tropical woods especially for their aesthetic qualities, the musical instruments manufacture selects its woods mainly for its acoustical and mechanical properties, the visual appearance being secondary even though very popular among musicians.

Moreover, musical instruments are very different from other products since they may last for decades, even centuries for some of them. They are sold and exchanged very often during their circle of life.

Thus, as raw material, wood is fundamental and irreplaceable for manufacturing numerous instruments. Even though for certain instruments (guitars for example), tropical woods could be substituted by non-tropical woods, in other cases tropical woods is irreplaceable (ex: for the manufacturing of clarinets and oboes, only *Dalbergia melanoxylon* wood guarantees the quality and the stability of these instruments).

For the moment, it is impossible for the manufacturers of musical instruments to replace these wood species they have been using for decades, even centuries for some companies.

However, the musical instruments makers are very sensitive to the protection of the species' objectives the CITES pursues. Indeed, they launched several projects at the international level – some already several years ago– such as projects to (re)plant trees or to find alternatives to tropical woods, with the use of local woods for example.

These projects of replanting trees or sustainable cutting are also vectors of local development, to which the manufacturers are also very much attached. The musical instruments sector is a sector of high quality which must create quality and wealth from the moment the tree is cut.

As far as the alternatives are concerned, it does not seem convenient to develop the use of plastic or composite materials which are, undoubtedly, not good solutions on the environmental plan.

What is the share of musical instruments making in the tropical woods exploitation?

We may consider that the use of tropical woods for the manufacture of musical instruments represents 1 to 5 % of the global volume of tropical woods used in the world. For the record, the Guatemala's Proposal to include the *Dalbergia spp.* in CITES Appendix II specified:

« *Dalbergia melanoxylon* is principally viable for commercial timber extraction only in southeast Tanzania and northern Mozambique (Jenkins et al., 2012). Based on official records of Mozambican timber exports, the total consumption of timber (not only *D. melanoxylon*) domestically and for export was 727,000 m³ of logs equivalent in 2012 (FAEF, 2013). Timber imports to China from Mozambique increased around seven-fold in the last 10 years, the figures given by Chang & Peng (2015) for imported *Dalbergia melanoxylon* timber (round wood equivalents) into China are more than 5,000 m³ in 2004 and more than 33,000 m³ in 2013 (page 10/50 of the document) ».

Here is what we can read a little further in the Proposal and which enable a comparison with the demand for the musical instruments manufacture:

« *D. melanoxylon* is a favourite wood for musical instruments, especially wind-instruments such as clarinets, oboes, flutes and bagpipes, because of its dark colour, stability and clearness of tone. Jenkins et al., (2012) reported a stable demand for this industry of 255 m³ per year. Usually the wood for this purpose is exported semi-processed as billets (page 10/50 of the document) ».

For information, 255 m³ per year of semi-processed billets correspond more or less to 1500 m³ of round wood.

Musical instruments manufacture consumes then 4,5% of the *Dalbergia melanoxylon* production against 95,5% for the other industries such as the luxury furniture.

While we are waiting for a more precise and global estimation of the use of the other species of tropical woods in the instruments manufacture, we can already point out the very little share of the musical instruments industry in the tropical forests exploitation in comparison with the other industries.

Our proposals

To harmonise the concerns of the CITES for conservation and sustainability of the species and the international trading activity of our companies, we suggest the two following amendments of the annotation #15.

We believe that either option will reduce the national and local CITES Management authorities' as well as users' useless workload, without jeopardising the goals of the Convention :

1. First proposal : as recommended by the European Union in the text that will be presented during the 23rd Plants Committee : « The deletion of the term "non-commercial" in paragraph b of the annotation may in particular simplify implementation and address interpretation issues relating to commercial vs. non-commercial transactions ».

#15 All parts and derivatives are included, except:

a) Leaves, flowers, pollen, fruits, and seeds;

b) Export and re-export of finished product when each individual piece contains a maximum of 10kg of the designated species

2. Second proposal : the implementation of a specific yet general exception for the musical instruments (using the customs authorities codes to define these items precisely)

#15 All parts and derivatives are included, except:

a) Leaves, flowers, pollen, fruits, and seeds;

b) Non-commercial exports and re-exports of a maximum total weight of 10 kg per item;

c) Musical instruments as defined in the customs authorities codes*

*This nomenclature will be updated and refined in collaboration with the instruments makers. It must also be harmonised with the nomenclatures of all the other countries.



CONFEDERATION OF EUROPEAN MUSIC INDUSTRIES e.V.

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

Twenty-third meeting of the Plants Committee in Geneva (Switzerland)
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Information document on *Dalbergia* spp.

Entry into force of the CITES CoP 17 Regulations on January 2, 2017 has unleashed unprecedented unease among musical instrument manufacturers. As a direct consequence, global sales of musical instruments revealed a decline of some 20% during the first quarter of 2017.

Neither CAFIM member associations nor their respective member companies were involved in the preparations for the Species Protection Conference held in Johannesburg. They were kept just as much in the dark with regard to the details and magnitude of the implications, thus being unable to bring their position into the debate. This applied to all other colleague associations at global level.

As soon as the resolutions became known, our member associations established immediate contact with the competent national authorities for the purpose of obtaining means of clarification designed to being about an acceptable ruling within the branch. The result of these efforts has shown that scope for action – if any – tends to be negligible.

Following sanctioning of the measures, all associations responded by providing training and assistance for their member companies in order to cope with the given circumstances the best way possible. Even so, the obstacles affecting small and medium-scale enterprises operating within the branch are immense, leading to substantial additional cost while also causing scheduling difficulties and major uncertainties. Above all, this is having a negative impact on delivery capacities and other disadvantages involving customers both within and outside Europe.

The problem situation prevailing since January 2

Implementation of the CITES Regulations at global level is anything but uniform and varies some extent quite considerably.

In addition, enormous problems of understanding are being encountered.

As far as enterprises operating within the branch are concerned, there is virtually no way

of explaining the wide diversity of individual conditions currently prevailing from country to country.

Personnel bottlenecks and bureaucratic hurdles are also tending to aggravate what is already a complex scenario and one imposing a heavy administrative burden on national authorities.

Customs authorities are known to seize merchandise if any documents are incomplete, incorrect, are unavailable in full or go missing. Unfamiliarity with the new regulations leads to further confusion.

The duties charged tend to vary quite considerably and are often disproportionately high, a factor which provokes competitive distortion and other handicaps.

On top of all that, musical instruments are products destined to enjoy a very long service life designed to last for decades, sometimes whole centuries, in the course of which they frequently change hands.

Musical instrument manufacture and protected wood species

The selection of tropical wood species for musical instrument making purposes is not necessarily governed by aesthetic principles, but is primarily geared to acoustical and mechanical aspects. Though of secondary importance, appearances nevertheless meet with broad popular approval among musicians. As a raw material, tropical wood has proved to be indispensable in musical instrument manufacture. For a small percentage of instruments, as for instance guitars, non-tropical substitutes have been found. Others – such as clarinets and oboes – have hitherto been left with no other choice than to opt for *Dalbergia melanoxylon* – the only species guaranteeing quality and stability of the instruments.

Relatively low consumption in musical instrument manufacture

It should be considered that only 1 to 5% of the resources exploited goes into musical instrument manufacture. Here are a few figures focusing on *Dalbergia melanoxylon* revealed in the Guatemala proposal text to include the whole *Dalbergia* family in the CITES Appendix II:

«*Dalbergia melanoxylon* is principally viable for commercial timber extraction only in southeastern Tanzania and northern Mozambique (Jenkins et al., 2012). Based on official records of Mozambican timber exports, the total consumption of timber (not only *D. melanoxylon*) domestically and for export was 727,000 m³ of logs equivalent in 2012 (FAEF, 2013). Timber imports to China from Mozambique increased around seven-fold over the past 10 years. The figures given by Chang & Peng (2015) for imported *Dalbergia melanoxylon* timber (round wood equivalents) into China were more than 5,000 m³ in 2004 and exceeded 33,000 m³ in 2013 (page 10/21 of document)»

By way of comparison, the demand pertaining to the entire manufacture of musical instruments is estimated to lie at 255 m³ (semi-processed as billets) a year, the equivalent of 1500 m³ of round wood.

Accordingly, musical instrument manufacture consumes 4.5% of the *Dalbergia melanoxylon* production over against 95.5% for other industries such as luxury furniture. While we are still awaiting a more precise and global estimation relating to the quantities of other types of tropical woods used in instrument manufacture, it may be said that the percentage of tropical forest exploitation consumed by the musical instrument industry is

negligible compared to other branches of industry.

Our proposals

In order to harmonise the issues relating to conservation and sustainability involving CITES species with the international trading activities of our companies, we propose several amendments to annotation No. 15.

One or the other options should, in our opinion, serve to eliminate the useless tasks required to be dealt with by CITES national and local services, jeopardising the principles of the Convention:

First proposal:

As recommended by the European Union in the text to be presented to this Plant Committee: «The deletion of the term "non-commercial" in paragraph b of the annotation may in particular simplify implementation and address interpretation issues relating to commercial vs. non-commercial transactions ».

#15 All parts and derivatives are included, except:

- a) Leaves, flowers, pollen, fruits, and seeds;
- b) The export and re-export of finished products where each individual piece contains a maximum of 10 kg of the designated species.

Second proposal:

Implementation of an exceptional ruling applicable to musical instruments (using the customs authority codes for precise definition of these items).

#15 All parts and derivatives are included, except:

- a) Leaves, flowers, pollen, fruits, and seeds;
- b) Non-commercial export and re-export with a maximum total weight of 10 kg per item;
- c) Musical instruments as defined in the customs authority codes*

*This nomenclature will be updated and refined in collaboration with the instrument makers. It must also be harmonized with the nomenclatures of all other countries

In summing up, it is important to emphasize that ongoing efforts are being made within the branch to bring about product improvements also with regard to materials used in production along with the commitment to engage in research designed to find substitute materials aimed, among others, at supporting species conservation. However, the results go to show that the use of other varieties of wood is only occasionally encountered – if at all – on account of the specific requirements prevalent in the field of musical practice.

The prime objective is to uphold the cultural heritage of music and to provide musicians with instruments adequately equipped to cultivate the art.

(English only / únicamente en inglés / seulement en anglais)

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