



Tree species in CITES

- In 1975, 18 tree species were included in the Appendices of the Convention.
- From CoP17 to CoP19, hundreds of species have been added in Appendix II.
- There are today around 800 species of trees listed in the CITES Appendices.
- This demonstrate that tree species are an important group of species in wildlife trade.

However, this may also be an indication of past unregulated and unsustainable trade in these species.

Rapid Guide for the making of LAFs

- **Resolution Conf. 18.7 (Rev. CoP19)** on [Legal acquisition findings](#) contains, in Annex 3, the Rapid guide for the making of legal acquisition findings.
- The **Rapid Guide** develops various questions, to provide guidance to Parties in making their LAF:
 1. *What is the difference between making a legal acquisition finding and verifying legality?*
 2. *Is there a high risk that the specimen may have been acquired illegally?*
 3. *What laws and regulations apply to the legality of the specimen?*
 4. *Review whether CITES permit application is fully completed and whether sufficient chain of custody documentation has been provided*
 5. *Review validity, accuracy, and completeness of documentation of the chain of custody*
 6. *If the Management Authority is satisfied that the specimen has been legally acquired, what documents / other information is it practicable to keep for the record?*
 7. *Framework for making a Legal Acquisition Finding.*



Rapid Guide for the making of LAFs

- All these questions are relevant for the making of LAF for any CITES-listed species.
- Question 5 on the *Review validity, accuracy, and completeness of documentation of the chain of custody* contains further guidance to help Parties in making LAFs, by providing checklists to verify the evidence of the chain of custody :
 - Table 1: Evidence of legality along the chain of custody for flora and fauna
 - **Table 2: Evidence of legality along the chain of custody for timber**
 - Table 3: Evidence of legality along the chain of custody for marine species.
- These are simple and useful tools that Parties should take into account when preparing their LAF



Rapid Guide for the making of LAFs

**Table 2:
Evidence of
legality along the
chain of custody
for timber**



The applicant could be asked to provide evidence on:	Examples of possibly relevant documentation
1. Land tenure and harvest rights	Official proof of government-issued tenure, Forest Management Unit/ Concession of Harvest license, Forest Management Unit/ Concession of Harvest location and map.
2. Conditions of harvest	Proof of harvesting permit validated by relevant forestry authority Pre-harvest inventory of all trees and species Identification of each tree, including species, diameter and location marked on map List of all trees that will be harvested Cutting block records Annual allowable cut Log markings Prohibitions or quotas on harvest of rare or endangered species Post-harvest inventory
	Post-harvest monitoring Detailed records of numbers and volumes of logs removed cross checked against authorization to harvest, including the approved cut
3. Export, import and domestic trade and transport	Export quota and monitoring system in place, Marking system, Traceability system.
4. Payment of taxes, duties and fees applicable to timber trade	Proof or receipts of payment of taxes, duties and fees applicable to timber trade within the specific national context, e.g., stumpage fees, concession fees, allowable cut fees, etc.



LAFs for tree species – Guiding questions

- Relevant legislation on harvest (moratorium, specific species legislation or decisions)?
- Registration / legality of the companies involved (harvesting and trading companies)?
- Harvesting area (protected area, legally declared area or forest concession, concession management plan respected)?
- Rights to harvest timber within legally gazetted boundaries?
- Payments for harvest rights and timber?
- Third parties' legal rights concerning use and tenure that are affected by timber harvesting?

LAFs for tree species – Guiding questions

- Timber certification system associated with legality and sustainable management? Marking system respected?
- Export quota and monitoring system in place?
- Traceability system adopted and respected?
- Documents attesting the whole chain of custody: from standing tree to container. (concession documents, harvesting permits, certifications, markings, payment of fees, transport and storage coupons, trade contracts...).

Example: think as if you were a customs officer, or MA official of the importing country opening a container...

Note: some Parties could have adopted stricter domestic measures under Article XIV of the Convention.

Questions

- Have you been using the Rapid Guide and checklists of Annex 3?
- What successes or challenges have you been facing when working on LAFs?
- What are the causes of potential challenges?
- What needs to be done to address such challenges?



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